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Title: Further discussion on the motion for consideration of the Statutory Resolution regarding Disapproval of Mines and Minerals (Development and Regulation) Amendment Ordinance, 2015 (No. 3 of 2015) and Mines and Minerals (Development and Regulation) Amendment Bill, 2015, moved by Shri N.K. Premchandran on the 2nd March, 2015 (Statutory Resolution-Negatived and Government Bill-Passed).

SHRI BHEEMRAO B. PATIL (ZAHEERABAD): Hon. Speaker, I thank you for giving me an opportunity to speak in this august House today.

As the House is aware, the legislation titled Mines and Minerals (Development and Regulation) Amendment Bill, 2015 intends to provide a long-term solution to the mining industry which is a welcome step and it is the need of the hour.

Generally, there are 40 common minerals for the use of human life cycle and modern civilization adhering to the global society of human beings.

First of all, I would like to state that the number of mining leases granted in the country has drastically fallen and the second and subsequent renewals also have been affected due to various reasons. As a result, mining sector's output has been falling down year by year leading to imports which have become a costly affair for our country.

As per the law, the State Governments would grant mineral concessions through e-auctions through which it can increase its share from the sector. For this purpose, there should be a list of notified and non-notified minerals. There should be a transition period of a minimum of 15 years for captive mines and five years for other mines and there should not be a sudden stoppage. As per the amendment of Section 8A(5) and 8A(6) of the MMDR Act, 1957, the Central Government is empowered to prescribe deadlines for various processes and to issue binding directions to the States as per Section 20A. The results are to be examined on the ground. It is expected that this would permit such closed mines to start their operations immediately.

12.09 hrs (Hon. Deputy-Speaker *in the Chair*)

There is no doubt that, to encourage the exploration of mines, the National Mineral Exploration Trust which has been set up has to create a support out of the contribution made by the mining lease holders and the Government will be benefited by such a dedicated fund for undertaking quarry explorations. The District Mineral Foundation is designed to address long time grievances of the civil society, of those who are affected by mining and of those people who are not cared for. The affected person getting relief through the District Mineral Foundation is a good sign.

The abnormal delays must be diminished for granting different types of quarries for which NoC starts from the level of Sarpanch of Gram Panchayat to District Collector. The Government should also focus on attracting private investment while adopting the latest technology and by completely eliminating delays in administration so as to enable expeditious and optimum development of mineral resources of the country.

The Government should ensure that auctioning of mines should not lead to sound the death-knell of the mining industry. It is a known fact that auction route was not pursued in any resource rich country and they follow the time-tested principle of 'first come first serve'. Besides mineral of part 'C', First Schedule, like iron ore, manganese, bauxite, copper, gold and silver, importance for road constructions, the rich silica quartzite, gem, minor mineral boulders, sedimentary rocks, igneous rocks, metamorphic rocks, volcanic rocks, slate rocks, basalt rocks, granite rocks, lime stone, sand stone, sheet rocks, spalls, pebbles, gravels, traps, aggregates, coarse and fine river bed resumption of production. ...(*Interruptions*)

HON. DEPUTY-SPEAKER: Order in the House please

SHRI BHEEMRAO B. PATIL: Therefore, to avoid disadvantages to contractors, procedures should be made easy for starting work in short period by getting No Objection Certificates from all the Departments of Central Government and State Governments. They must be given clear-cut instructions to issue the NOC to the Contractors seeking permission for mining, etc. along with Pollution Control Board, the Ministry of Environment and Forests, Wild Life. ...(*Interruptions*)

HON. DEPUTY-SPEAKER: Hon. Member, please be brief.

SHRI BHEEMRAO B. PATIL : The Government is planning to construct thousands of kilometres of roads across the country. To achieve this we have to give relaxation in the mining for the materials required for the construction of the roads. The Government's road projects are delayed for want of permissions from the Revenue Department, the Pollution Department, the Environment Department and the Forest Department. Due to this the cost of project is increasing by way of revision in the rates and in some cases due to award of arbitration.

The road material mines are, in general, located in the forest areas where the mining is not permitted by the Forest Department, even though these mines are identified for mining by the Government Departments. But the forest and environment permissions are not given for mining. The executing agencies are facing problems in procuring the road materials. And they are bringing the materials from the far-off places and incurring losses or else it will be claimed by way of arbitration, which in turn is increasing the cost of the project. ...(*Interruptions*)

HON. DEPUTY-SPEAKER: I would request the hon. Members to be silent. Many Members are speaking and I am not able to understand what the hon. Member is speaking. Let there be order in the House please.

...(*Interruptions*)

SHRI BHEEMRAO B. PATIL : The development of the area mainly depends on the transportation system by way of roads. The delay in permissions for the mining will lead to the stoppage of development of industrial, and agricultural growth, employment generation and communication system. Transportation facilities will also have to be extended to the public by roads. Some times the unemployed youth may turn to the anti-social activities, causing burden on the society.

The Government has to focus on the relaxation in mining relating to the materials required for the construction of Government road works for the

betterment of the public.

The Government has to evolve a single window system at least for the construction materials required for the Government works, keeping in mind the above facts.

State Governments need to obtain the prior approval of the Central Government before grant of mineral concessions. Some times the auction route may also lead to selective mining while leaving low grade minerals in the ground, resulting in wastage of resources and inflate the cost of final product making it uncompetitive vis-Ã -vis imports.

At the same time, the Government should also ensure that it may not result in cartelisation and monopolistic practices.

I want to firmly say that no mining lease holder should be put into any disadvantageous position in future.

On behalf of Telangana Rashtra Samiti, I support this Bill. I conclude by thanking you for giving me this opportunity.

HON. DEPUTY-SPEAKER: Shrimati K. Geetha – not present.

DR. A. SAMPATH (ATTINGAL): Mr. Deputy-Speaker, Sir, thank you. I understand that you have paucity of time. The Mines and Minerals (Development and Regulation) Amendment Bill, 2015 is an important Bill. I have certain reservations regarding the Bill. Number one is, the Government of India, I mean the Union Government, is bestowed with the power and responsibility for systematic development of minerals.

Sir, you know very well that under Article 246 of the Constitution of India, Entry Number 54 in the Seventh Schedule, List-I of the Union List, clearly gives the power to the Central Government. If this amendment is being enacted, our minerals will be looted. Why do I say so?

Many of my friends, cutting across political party lines, who participated yesterday in the discussion, have pointed out a very important point to ponder. We have to look into that aspect. We are living today at the mercy of tomorrow. It is just like we are enjoying something which our children and grand children should enjoy.

The Mines and Minerals (Development and Regulation Act, 1957 envisaged the Indian Bureau of Mines. The Indian Bureau of Mines has been entrusted with certain duties. It has to discharge certain functions which the Central Government may, from time to time, entrust to the IBM. Now, what happens if this amendment is being carried out? Of course, we all know very well that the Government's intention is to get it passed at the earliest. Why? My question is: If this Bill is passed, then, the IBM, will be sidelined. It will be bypassed. The powers of the IBM will be a scapegoat. What I understand is that there are more than 60,000 applications pending. At the same time, the Government of India has put 31 minerals in the list of minor minerals. Those minerals which were previously major minerals, by a Notification of the Government of India in the Extraordinary Gazette of 10th February, 2015 which is just before the commencement of this Parliament Session, are converted into minor minerals. So, what is the intention? As I said just now, those minerals which were earlier the major minerals, have been converted into minor minerals. What happens? The IBM will not have authority to control and to supervise what is happening there.

I have moved certain amendments to the Bill. I am not mentioning about them just now. By clause 5, at page 3, the Government of India wants to put the burden on the shoulders of the State Government. That will definitely happen. In future, all the State Governments will be bearing the burden . They will be criticised by the people. My submission is that for the preparation, certification, and monitoring of such plan, it should be the Central Government which should do; it should be with the approval of the Central Government after the consultation and sanction of the Indian Bureau of Mines.

In clause 8, in Section 8A (2), line 33, it is stated

> "On and from the date of the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, all mining leases shall be granted for the period of fifty years."

What is the life expectancy of a man, of a woman? These juridic personalities, the corporates will be having the mines. We will be at the mercy of the corporates. They will decide the quantity, they will decide the price, they will decide the workforce and they will decide the *modus operandi.* The Government will be losing its sovereignty. We all know that sovereignty of the Government is important. I am afraid the sovereignty of the Government will be sacrificed. It is at peril. The sovereignty of the Government is one of the very important elements when we consider the State. What do we mean by "State" under Article 12? It is not only the territory but population; it is not only the Government but its sovereignty. Here, the element of sovereignty is being sacrificed.

Here it is 50 years. Why is it 50 years? Yesterday, many of the friends have pointed out that the existing corporates and firms or individuals who are now enjoying their mines, their term will be extended; they will be enjoying the fruits of the mines. I may be permitted to use such a terminology. It will be automatically extended. Again, it is 50 years. My submission through you is that it should be cut short to 25 years.

We all know an example. What happened when the Indira Gandhi International Airport in Delhi was privatised? First, it became Delhi International Airport Limited. It was a joint venture. Then, what happened? The share of the Government was reduced; and the share of the private sector was increased. There was a report of the Comptroller and Auditor General and that was laid in this august House. We all discussed it. Then, they were there; and you were here. We know what has happened. We have an example here. When they tried to make a replica in Maldives, the Government of Maldives opposed it. At least, we should take some good examples from some of our neighbours. When somebody loots the nation;

when they try to break the law.

I refer to Clause 19. In section 21 of the principal Act, for sub-sections (1) and (2), the following sub-sections shall be substituted. In paragraph 2, any rule made under any provision of this Act may provide that any contravention thereof shall be punishable with imprisonment for a term which may extent to two years or with fine, which may extend to Rs.5 lakh. What is this? There are people who have been assessed by the income-tax authorities to pay Rs.90 crore as tax. They are still having disputes by paying not even one-third. Here, the imprisonment should be increased from two years to 10 years, and the fine should be increased from Rs.5 lakh to at least Rs.50 lakh.

I would like to know from the Government of India, and especially from the hon. Minister, one point. We all respect the Minister; he is a very senior leader; and we respect him very much. Has any consultation been carried out with the stakeholders? I mean not only the mine owners, but also the mine workers, the Indian Bureau of Mines, specialists, experts, scientists.

In the morning also, when a Minister gave a reply, he was mentioning about the Left-Wing extremists-affected areas. So, we all know that more than 40,000 square kilo meters of precious land of our nation have no Government; no sign of Government. What happens in such a situation? When people feel that our land is being taken off, our land is being looted, our land is being snatched away, all the minerals have been looted; we have been robbed; we have been snatched, the people would be forced to find some other alternatives. If that happens, it would be a shame for the Government of India; it would be a shame for the Parliament of India. This is the temple of democracy; you are the guardian of our rights and privileges. It is only in this august House we can represent the feelings of the people. People have elected us. We are here to express their feelings, their pains.

There is a clause about district mineral foundation and the welfare measures have to be taken up but the amount that has to be spent for the welfare of the people who are working, living in and around those mining areas, that amount should also be increased.

Last but not least, I would like to know as to whether we have taken into consideration the experience of other nations. I humbly request the hon. Minister to read two books – The Confessions of an Economic Hitman. You kindly go through the book to know as to how multinationals loot less developed countries. They have now given a terminology to the less developed countries – developing nations. The other book is `A Game as Old as an Empire'.

I pay homage to the grand old man of India – Dadabhai Nauroji – who once put forth the theory of `drain'. Now, in this neo-liberal regime, again, our nation is experiencing a `drain' of its precious minerals, metals and natural resources. I strongly oppose this Bill; I very vehemently oppose this Bill. It is an anti-people Bill; this is unconstitutional; this is unwarranted; this is unnecessary. My humble request is that this Bill should not be passed in this august House. Thank you.

श्री कड़िया मुंडा (खूँटी): माननीय उपाध्यक्ष जी, मैं इस विधेयक के समर्थन में बोलने के लिए खड़ा हुआ हूं। इस विधेयक में जितनी बातें कही गई हैं, मुझे सरकार से इनमें से एक बिंदु पर जानकारी लेनी है। इसे भाग्य या सौभाग्य कहिए कि भारत के मध्य भाग में जनजातियां बहुत अधिक संख्या में रहती हैं। यह जनजाति बहुल क्षेत्र है। इस क्षेत्र में बहुत से खनिज पदार्थ हैं। आज तक का इतिहास है कि जब भी इस क्षेत्र में विकास का काम हुआ है, चाहे माइनिंग का हो या इंडस्ट्री का हो, इस क्षेत्र की जनजातीय आबादी को विस्थापित किया गया है। इनकी चिंता न तो राज्य सरकार करती है और न केंद्र सरकार करती है। इसका नतीजा यह हुआ है कि कल तक जो जमीन का मालिक था, वह विस्थापित होकर रास्ते पर घूम रहा है। इस कारण उस क्षेत्र में असंतोष बहुत बढ़ा है। इस क्षेत्र में माओवादियों का प्रभाव बढ़ा है और इसका एक कारण है कि लोगों में असंतोष बढ़ता जा रहा है।

महोदय, इस बिल में लिखा गया है - "to settle rehabilitation and claim issues faster so that land outside the mining areas can be used beneficially for the local populace." यह अच्छी बात है, लेकिन आज तक इस दृष्टिकोण से इन क्षेत्रों में कोई काम नहीं हुआ है। मैं उदाहरण दूंगा, चाहे भिलाई हो, राउरकेला हो या बोकारो हो, वहां 70 के दशक में काम शुरु हुआ, यहां से विस्थापित लोगों की स्थिति यह हो गई है कि वे दर-दर काम के लिए भटक रहे हैं। इस समय चूंकि निजी क्षेत्र के ऑक्शन के आधार पर लोग भी आएंगे, वे कितनी चिंता करेंगे, गरीब लोगों की भलाई की बात करेंगे या नहीं करेंगे, इसमें अभी शंका है। जब सरकार ही चिंता नहीं कर सकी तो ऐसी स्थिति में निजी क्षेत्र के लोग आएंगे, वे कितनी चिंता करेंगे? मेरा प्रश्न है कि इनके लिए क्या कोई प्रावधान होगा या नहीं होगा? जब तक यह नहीं होगा तब तक उस क्षेत्र के लोग विस्थापित होते जाएंगे, धीरे-धीरे आदिवासियों की संख्या भी घटती जाएगी, वे कहां जाएंगे, पता नहीं है। दुर्भाग्यवश देश में यह स्थिति है कि एक राज्य में जो लोग जनजाति वर्ग में जाने जाते हैं, उनको दूसरे राज्य में जनजातीय सूची में नहीं रखा जाता है। इस कारण धीरे-धीरे इनकी संख्या घट रही है। मैं ज्यादा कुछ न कहते हुए सरकार से पूछना करता हूं कि जो लोग विस्थापित होंगे, उनको रिहेबिलिटेट करने के लिए सरकार विशेष रूप से किस तरह का प्रावधान करने वाली है? जब तक यह नहीं होगा तक तक समस्या का समाधान नहीं होगा। ये लोग उजड़ते जाएंगे, गरीबी बढ़ती जाएगी, अशांति बढ़ती जाएगी। कहीं ऐसा न हो कि स्थिति इतनी विस्फोटक हो जाए कि उस क्षेत्र में काम करना कठिन हो जाए। आज भी इस क्षेत्र में काम करना कठिन है।

महोदय, मध्य प्रदेश के बस्तर जिले में लोहे की बहुत बड़ी खानें हैं। यहां की स्थिति क्या है, सब जानते हैं। सदन में कल उड़ीसा के माननीय सांसद सत्पथी जी ने कंधमाल की बात बताई थी कि जब घटना हुई तब कंधमाल चित्र में आया था। इससे पहले कंधमाल उड़ीसा में है या नहीं, यहां जनजाति रहती है या नहीं, इसके बारे में किसी को पता नहीं था। इसलिए आदिवासियों को अपनी जमीन के एवज़ में कुछ अधिकार मिलना चाहिए। क्या इसके लिए उन्हें लाठी-डंडा निकालना पड़ेगा? यह एक विकट परिस्थिति पैदा हो रही है। इस विकट परिस्थिति पर भारत सरकार को चिन्ता करनी चाहिए। जब उस क्षेत्र के लोग विस्थापित होंगे, तो उनके पुनर्वास की दृष्टि से विशेष रूप से कोई ठोस योजना बनानी चाहिए, तब इस समस्या का समाधान होगा, अन्यथा अशांति बढ़ेगी, लोग असंतुष्ट होंगे। इस प्रकार से अशांति बढ़ेगी तो जैसा कि हम लोग कहते हैं कि आगे विकास करना है तो वह विकास अवरुद्ध हो जाएगा। 'सबका साथ-सबका विकास' नारा तो बहुत बढ़िया है, लेकिन, जिनकी जमीन जाएगी, जो लोग विस्थापित होंगे, उनका विकास होगा या नहीं? उनके लिए क्या व्यवस्था है, आपने उनके लिए क्या प्रावधान किया है, उनकी समस्या के समाधान के लिए आपके पास कोई ब्लू प्रिंट है, ताकि सबका विकास हो तो बाकी लोगों का भी विकास हो, इसलिए इन विस्थापित लोगों का भी विकास कैसे हो सकता है, इस विधेयक के साथ ही सरकार को इसकी भी चिन्ता करनी चाहिए। आज तक इतिहास में जो घटनाएँ घटी हैं, उनसे सरकार को कुछ नये अनुभव प्राप्त करके कोई रास्ता निकालना चाहिए। जनजातियों की आबादी लगभग साढ़े दस करोड़ तक है, जो मूलतः इसी क्षेत्र में असम से कच्छ तक फैली है और इसी क्षेत्र में सबसे अधिक खनिज पदार्थ भी हैं, ऐसी स्थिति में उनकी विशेष चिन्ता करनी चाहिए, मेरा सरकार से यह आग्रह है। धन्यवाद।

SHRI MEKAPATI RAJA MOHAN REDDY (NELLORE): Thank you, hon. Deputy Speaker, Sir for giving me an opportunity to speak on this subject. I welcome the various proposals brought in the Mines and Minerals (Development and Regulation) Amendment Bill, 2015.

Given the recent controversies in the allocation of coal blocks and spectrum etc. that have delayed many infrastructure projects besides bringing ignominy to the country as a whole, the present decision to auction all notified and non-notified minerals on a competitive bidding seems to be the only alternative to avoid controversies, litigation and delays. I am happy that the mineral bearing States will get a major share of the auction proceedings besides regular royalty.

The Bill provides for the creation of a District Mineral Foundation (DMF) and a National Mineral Exploration Trust. The DMF is to be established by the State Government for the benefit of persons in districts affected by mining related operations.

The National Mineral Exploration Trust shall be established by the Central Government for regional and detailed mine exploration. Licensees and lease-holders shall pay the DMF an amount not more than one-third of the royalty prescribed by the Central Government and the National Mineral Exploration Trust two per cent of royalty.

Tribal and indigenous communities across the world have been asserting their rights to the mineral wealth often found under the land they own or possess or have traditional rights to it. They have been historically denied even a share of that huge wealth. The exploration and plunder of natural resources, including minerals by big companies has intensified. In the majority of mining leases in the States, the maximum land is given to private companies. The tribals should be given adequate share in the profits, compensation and compensatory jobs.

I suggest, this amount may be increased substantially in case of mining in tribal areas so that effective developmental works may be taken up in those areas. Government may also consider passing on a share of the profits in mining in tribal areas to the institutions like ITDA for promoting effective development in those areas.

The Bill states that the holder of a mining lease or prospecting licence-cum-mining lease may transfer the lease to any eligible person with the approval of the State Government and as specified by the Central Government. If the State Government does not convey its approval within 90 days of receiving the notice, the transfer shall be considered as approved.

Absolute care should be taken to ensure that the mining leases, with their free transferability, should not lead to hoarding and speculation as it would negate national interest. Given the abnormal flow of funds into Indian stock markets in the last nine months, it should not be difficult for our corporates backed by foreign finance to corner all our national mineral wealth.

There are many problems being faced by mining sector such as relief to project-affected people and districts, boost to exploration, timely disposal of cases, and deterrents against illegal mining.

To overcome the problems in mining sector, an enabling environment based on sound principals of transparency and efficiency should be designed to provide a fair level paying field to both domestic and foreign investments.

Thank you.

SHRI S.P. MUDDAHANUME GOWDA (TUMKUR): Thank you very much for giving me this opportunity to participate in this discussion on this Mines and Minerals (Development and Regulation) Amendment Bill, 2015.

The Father of our nation great Mahatma Gandhi once said: "Earth provides enough to satisfy every man's needs, but not every man's greed." Even at the cost of repetition and viewing from any angle, I would like to say one thing that this is not a fit case to promulgate the Ordinance. There was absolutely no necessity or urgency to promulgate the Ordinance to bring this legislation. In my view, the powers vested under the Constitution are misused in this case by promulgating this Ordinance.

Secondly, the issue of mines and minerals is very sensitive. Minerals are our treasures. They are hidden beneath the earth. You cannot grow or develop minerals. If we cut and remove the sugarcane crop, this will once again grow. Whereas in the case of mines, if you remove them once, there ends the matter. You cannot get them back again. That is why preservation of minerals should be the paramount consideration. One of my learned friends was telling yesterday that we have to keep the interest of the future generation of our country into consideration. We cannot remove everything. We have to preserve. Preservation should be given priority.

Now, we have been seeing the over exploitation of our mines. I am also coming from a mineral rich State. In my Constituency, I have been seeing that iron ore mines are over exploited. We have also been seeing the plight of the people who are residing in those affected areas. That is why I insist this Government to give priority to preservation.

In this new amended Bill, the thrust, according to Government, is on the transparency in allocation of minerals. That is the criterion. At the same time, they are also telling that they want to simplify the allocation. If you want to simplify the allocation, then you cannot say that transparency is maintained. That is why there is a contradiction. That means, they are keeping the pandora's box open at their end. They should be very careful while allocating the mines. I can understand that some minimum mining activities are required in the interest of this nation. But under the guise of necessity, they should not allow over exploitation. Under Section 8(a), they have increased the minimum leasing period for 50 years and 30 years in some cases. That is very bad. If you want to preserve these mines by allowing lease period for more than 50 years, that is not correct. That is illegal. There is also no clarity on this. It leads to litigation and interference by the court.

Finally, under Section 9(b), they have introduced a provision for providing a trust name 'District Mineral Foundation' a non-profit body. I agree. I can understand the importance of this body. But, what are the modalities and guidelines for this? What kind of provisions are there to fix the beneficiary's responsibility and obligation? We have been seeing day in and day out the problems being faced by people of mines affected areas. That is why I insist the Government that there must be some stringent or punitive provisions, so that the beneficiary, to whom the lease is given, should contribute more in this District Mineral Foundation. It should be on a national basis.

That is why I insist that more money should be given to mining affected people. They should be provided with such things. With these observations, I conclude.

Thank you.

श्री विजय कुमार हाँसदाक (राजमहल) : उपाध्यक्ष जी, मैं अपनी पार्टी जे.एम.एम. की ओर से इस विधेयक पर बोलने के लिए खड़ा हुआ हूं। इस विधेयक के कुछ बिंदुओं का हमारी पार्टी विरोध करती है। माइंस और मिनरल्स बहुत महत्वपूर्ण इश्यू है। कहीं न कहीं हमारे देश को भी जरूरत है और हमारे राज्य को भी जरूरत है कि माइंस एंड मिनरल्स को एक्सप्लायट करके देश और राज्यों को संसाधन मुहैया कराए जाएं। लेकिन जिस तरह से लैंड एक्वीजिशन बिल हो या माइंस एंड मिनरल्स बिल हो, उसे हम एक्सप्लायट कर रहे हैं, क्या आने वाले वर्षों में हम अपनी आने वाली पीढ़ियों के लिए कुछ छोड़ कर जाने वाले हैं? माइंस एंड मिनरल्स जिन राज्यों में उपलब्ध हैं, ज्यादातर वह एरिया आदिवासी बाहुल्य है। अभी कड़िया मुंडा जी ने भी इस बात का जिक्र किया था। आदिवासी जहां रहते हैं, अधिकांशतः वहीं पर माइंस एंड मिनरल्स पाए जाते हैं, लेकिन वहां रहने वाले आदिवासियों और अन्य लोगों का ध्यान नहीं रखा जाता है।

जब माइंस एंड मिनरल्स के खनन की बात आती है, तो कम्पनीज को ज्यादा से ज्यादा इसका दोहन करने के लिए प्रोत्साहित किया जाता है। लेकिन उस क्षेत्र के जो असली हकदार हैं, मालिक हैं, जिनके क्षेत्र में माइंस एंड मिनरल्स हैं, उनके हितों की रक्षा कभी नहीं की जाती है। इसका परिणाम है कि आज बहुत से क्षेत्रों में इस वजह से नक्सलवाद की समस्या पैदा हुई है। हमारे राज्य झारखंड में और मेरे क्षेत्र में भी इस तरह की समस्या है। इसके अलावा अन्य राज्य भी नक्सलवाद से प्रभावित हैं। हमारे देश के लोग ही क्यों इसका विरोध कर रहे हैं, इस पर ध्यान देना चाहिए।

इस मुद्दे को लेकर इस तरह के कानून बनें, जिससे हमारे लोगों के हितों को ध्यान में रखा जाए। अगर ऐसा नहीं किया जाता है तो नक्सलवाद की समस्या गम्भीर रूप ले सकती है। जैसा कहा जा रहा था कि हमारे देश में 4,000 एकड़ ऐसा एरिया है जहां कोई सरकार ही नहीं चलती है। कहीं ऐसा न हो कि जिन क्षेत्रों की वजह से हम देश का विकास कर सकते हैं, वहां सरकार नाम की कोई चीज ही न रहे।

मैं अपने क्षेत्र का उदाहरण देना चाहूंगा। हमारे यहां मसानजोड़ एरिया है, जहां हाइड्रो पावर के लिए काफी जमीन का अधिग्रहण किया गया। वहां से जो आदिवासी विस्थापित हुए, वे आज कहीं भी देखने को नहीं मिलते हैं। आखिर में जब ऐसी परिस्थितियां पैदा होंगी, तो क्यों कोई व्यक्ति विद्रोह नहीं करेगा, क्यों कोई व्यक्ति चाहेगा कि वहां आकर खनन करे। मेरे साथ अगर ऐसा होगा, तो मैं भी शायद यही करूंगा। इसलिए इस बात को भी देखने की जरूरत है कि हम आने वाली पीढ़ियों के लिए क्या छोड़ने वाले हैं। पांच साल, दस साल या 15 साल तक अगर ऐसे अधिनियम बनेंगे और इसी अवधि में ही सारा खनिज निकालकर चाहे अपने यहां रखें या विदेश भेज दें, तो आने वाली पीढ़ियों के लिए कुछ नहीं रहेगा। इसलिए यह काफी गम्भीर मसला है।

मैं इस बारे में पर्यावरण की बात भी कहना चाहूंगा। जहां पर भी माइंस एंड मिनरल्स की बात होती है, वहां बहुत से पेड़ काटे जाते हैं। सिर्फ कागजों में ही दर्शाया जाता है कि हमने इसके बदले ये-ये कार्य किए, लेकिन वास्तव में ऐसा होता नहीं है। पेड़ काटने के बदले वृक्षारोपण करना, यह देखने में नहीं आता है। इन आदिवासी क्षेत्रों में जो हरियाली वाली जमीन ली जाती है, वहां पेड़ों की कटाई के कारण धूल और प्रदूषण की समस्या पैदा हो जाती है। अगर हमें किसानों और आदिवासियों के हित की बात करनी है, तो इन्हें हरियाली को बढ़ावा देने की जरूरत है। माइंस एंड मिनरल्स का जिस तरह से दोहन हो रहा है, आने वाले समय में वे इलाके धूल और प्रदूषण से ग्रसित रहेंगे और फिर यहां हम उस विषय पर चर्चा करेंगे।

इतना ही कहकर मैं अपनी बात समाप्त करता हूं।

श्री प्रहलाद सिंह पटेल (दमोह) : उपाध्यक्ष जी, मैं खान और खनिज विकास विनिमय संशोधन विधेयक, 2015 के समर्थन में बोलने के लिए खड़ा हुआ हूं। मैं आपको धन्यवाद देता हूं कि आपने मुझे इस पर बोलने का मौका दिया। यह इतना महत्वपूर्ण विषय है कि कई सांसदों ने इस पर अपनी चिंता और शंकाएं प्रकट की हैं। लेकिन एक बात सही है कि हम गति को धीमा क्यों करना चाहते हैं। हम विधान पर बात करें, जो नए क्लॉज़ आए हैं।

मैं सरकार को बधाई देना चाहता हूं कि उसने जिला स्तर पर जो समिति बनाई है और इस बात का उसमें प्रावधान किया है कि जो भी रॉयल्टी आएगी, उसका एक तिहाई वहां के विकास कार्यों के लिए दिया जाएगा। शायद ऐसा संशोधन देश में पहली बार किया जा रहा है, जिसके लिए सरकार को बधाई दी जानी चाहिए। रिसर्च के बारे में बहुत से लोगों ने कहा है, मैं भी जिओलॉजी का स्टूडेंट रहा हूं, कुछ समय के लिए कोल मंत्रालय में भी रहा हूं। अगर हम तमाम अनुसंधान संस्थानों की बात करें, जो माइनिंग के क्षेत्र में काम करते हैं, इस सब के बावजूद भी बहुत सारे ऐसे क्षेत्र हैं, जहां अनुसंधान की आवश्यकता है और जिसके बारे में देश को जानकारी नहीं है।

उपाध्यक्ष महोदय, आप स्वयं तमिलनाडु से आते हैं, मैं एक रेयर मिनरल की बात करना चाहूंगा, जिसके बारे में सभी को पता है कि दुनिया में सर्वाधिक थोरियम हमारे पास है। हम रेत की माइनिंग को गौण खनिज में मानते हैं, लेकिन जो रेयर मिनिरल्स से तत्व निकल कर आते हैं, उस रेत में सात प्रकार की ऐसी चीजें हैं जो आण्विक ऊर्जा के काम में आती हैं, जिनमें इलमेनाइट, लिकोजिन, रूटाईल, जिर्कान मोनोजाइट, सिल्मेनाइट और गॉर्नेट हैं। मैं इंडियन रेयर अर्थ्स लिमिटेड की रिपोर्ट पढ़ रहा था। जो हमारे देश के लिए सबसे जरूरी है, हम उस थोरियम की सप्लाई पूरी दुनिया में कर सकते हैं। इतने महत्वपूर्ण मिनिरल्स के बारे में पूरे दक्षिण कोस्ट पर सरकार ने अलग से कोई क्लॉज बनाया है, तो मैं सरकार को बधाई देना चाहता हूं, क्योंकि, राज्य सरकार के हित सर्वोपरि हैं। वहां रहने वाले लोगों के लिए रोजगार जरूरी है, उन्हें नौकरियां मिलनी चाहिए, उन्हें मुआवजा मिलना चाहिए। जहां तक केरल का सवाल है, जहां आबादी का घनत्व ज्यादा है, वहां ये समस्याएं हो सकती हैं कि जब हमें जमीन की जरूरत पड़े तो आबादी का घनत्व निश्चित रूप से तकलीफ दे। इसलिए जरूरी है कि केंद्र सरकार और राज्य सरकार को मिलकर उसका रास्ता निकालना चाहिए। लेकिन उससे ज्यादा जरूरी यह भी है कि जो भी आण्विक ऊर्जा के लिए जरूरी तत्व हैं और जो सिर्फ और सिर्फ वहीं उपलब्ध हैं, उसमें विलम्ब नहीं होना चाहिए। इसलिए जो क्लाज़ सरकार ले कर आई है, मैं सरकार को बधाई देना चाहता हूं और मैं यह भी चाहता हूं कि इन बातों को बैठ कर निपटाना चाहिए। निश्चित रूप से उनकी चिंता की जानी चाहिए, लेकिन जैसा कड़िया मुंडा जी कह रहे थे, मैं मध्य प्रदेश से आता हूं। यह सच है कि चाहे हमारा कोस्टल एरिया हो या हमारा पहाड़ी एरिया हो, मिनिरल्स वहीं हैं। लेकिन हमें विस्थापन के बारे में जरूर बात करनी चाहिए। आपने एक क्लाज रखी है कि जहां अवैध खनन होगा, वहां हम पांच लाख रुपये प्रति हैक्टेयर जुर्माना करेंगे और उसमें पांच साल के कारावास का प्रावधान किया गया है। मैं कहना चाहता हूं कि इस राशि को बढ़ाया जाना चाहिए, क्योंकि, जो माइनिंग एरिया है, उसके पर हेक्टेयर की कीमत ज्यादा है। अगर आप इस क्लाज़ को भी साथ में रख दें कि आदिवासी क्षेत्र के किसी व्यक्ति की जमीन सरकारी जमीन को छोड़ कर हम लेंगे। विस्थापन में हम अगर उसे मुआवजा देना चाहें, तो मैं माननीय मंत्री जी के ध्यान में लाना चाहूंगा कि इस क्लाज को भी इसके साथ रखना चाहिए। एक तरफ अवैध खनन वालों पर जुर्माना बढ़ाया जाना चाहिए, लेकिन इस बात को भी स्पष्ट करना चाहिए कि गरीब आदिवासी, जो कि पहाड़ी और दुर्गम क्षेत्र में जीवन यापन करते हैं, उसको मुआवजा ज्यादा मिलना चाहिए।

जहां तक कैटेगिरी का सवाल है, इसमें तीन कैटेगिरीज़ हैं, चौथी कैटेगिरी इसमें अलग से नहीं है। हमारे मित्र कह रहे थे कि चौथी कैटेगिरी बना दी गई है। अभी सौगत राय जी यहां नहीं हैं, ऐसे विद्वान व्यक्ति ने भी गलत व्याख्या कर दी। वास्तव में भाग-क में जो क्लॉज है, उसमें आण्विक मिनरल्स की सूची है। भाग-ख में वह है, जिसमें कोयला और लिग्नाइट हैं। बाद में बाक्साइट, लौह अयस्क, चूना पत्थर और मैंगनीज़ को अधिसूचित किया गया है। ये वे खनिज हैं, जो जमीन के ऊपर दिख रहे हैं, जबकि सोना जमीन के भीतर है।

महोदय, मैं दो या तीन मिनट लूंगा, आपको दोबारा घंटी बजानी नहीं पड़ेगी। मैं सिर्फ इतना कहना चाहता हूं कि जहां तक ऊपर दिखने वाले खनिजों का सवाल है, मैं बालाघाट का सांसद था, मैंगनीज़ ऊपर साफ दिखता है, लेकिन नक्सलवाद के कारण उसको हम एक्सप्लॉइट नहीं कर सकते हैं। राज्य सरकारें उस बारे में अनावश्यक विलम्ब करती हैं, इसलिए चौथी सूची बनायी गई है। मध्य प्रदेश में बहुत बड़ी मात्रा में सीमेंट फैक्टरीज़ हैं। वहां चूना पत्थर निकलता है और इसके लिए हजारों हेक्टेयर जमीन है। इसके लिए उन्हें 90 साल की लीज़ मिली हुई है, लेकिन हमने 50 साल के

लिए प्रावधान किया हुआ है। ऐसे में उनका क्या होगा? यह एक शंका की स्थिति है। इतने बड़े भू-भाग का यदि वह उपयोग नहीं कर पा रहे हैं तो उसके लिए भी हमें प्रावधान करने की जरूरत है। हमने चूना पत्थर को चूंकि अपनी अनिवार्य सूची में रखा हुआ है तो इसके बारे में भी विचार किया जाना चाहिए।

मैं जियोलॉजी का स्टूडेंट रहा हूं। माइनिंग प्लान के बारे में कहूंगा कि जो समयावधि हम बढ़ाने जा रहे हैं, उसमें पूरा माइनिंग प्लान एन्विज़्वयूट करने में कम से कम पांच साल लगते हैं और वाइंड-अप करने में भी कम से कम पांच साल लगते हैं। इसलिए मुझे लगता है कि हमें इस टाइम पीरियड को कहीं न कहीं स्पष्ट करना चाहिए कि जब समय पूरा होगा तो उसके पांच या सात साल पहले, उस माइनिंग लीज़ वाले को बताया जाना चाहिए कि आपका माइनिंग प्लान कब पूरा होगा।

अंत में, मैं कहूंगा कि जो राज्य सरकार की बात कही गई है, जिस प्रकार से राज्य सरकारों की गलती के कारण जो कम खनन हुआ है, उसके कारण राज्य को भी नुकसान हुआ है और और देश को भी नुकसान हुआ है, इसलिए इस पूरे विधेयक में गति बढ़ाने का काम किया गया है, ताकि यानी जो अनावश्यक विलम्ब किया जाता है, वह न हो। मैं माननीय मंत्री जी से कहूंगा कि अमरकंटक, जिसको लेकर कई बार विवाद खड़े होते हैं, मैं प्रार्थना करूंगा कि नदी के जो उद्गम के क्षेत्र हैं, इन क्षेत्रों को भी कहीं न कहीं सैटेलाइट सर्वे से तय किया जाना चाहिए।

अंत में, मैं कहूंगा कि सैटेलाइट सर्वे में इस क्लॉज़ को डालना चाहिए कि प्रतिवर्ष यह नियमित रूप से हो ताकि सैटेलाइट सर्वे से आपको जानकारी आ सके कि वास्तव में माइनिंग प्लान में लोगों ने कितना दोहन किया है, यह चित्र अपने आप लोगों के सामने आ जाएगा तथा जो हमारे मित्रों ने अपनी शंकाएं व्यक्त की हैं, वे दूर हो जाएंगी। धन्यवाद।

SHRI E.T. MOHAMMAD BASHEER (PONNANI): Thank you very much, hon. Deputy-Speaker, Sir, for giving me this opportunity to participate in the discussion of this very important Bill. Considering the time constraint, I do not want to say much about the impropriety of making such a legislation through an Ordinance process. My learned friends have already explained all these things. I endorse with their viewpoints.

Sir, the fact remains that the natural resources are the backbone of our economy. It makes assets and wealth for this generation and generations to come. But while making a legislation on this, we have to be wise and conscious. We must keep in our mind that unsustainable resource use can also cause serious damage to environment and contribute significantly to the enhanced Greenhouse effect and climate change. We must keep this *mantra* in our mind while we are making legislation of this kind of things.

Sir, there are some positive aspects in this legislation. The legislation is addressing the issue related to improving transparency in allocation of mineral resources. There is a strong provision for checking illegal mining, which I welcome. Another welcome suggestion is formation of District Mineral Foundation. Similarly, National Mineral Exploration Trust is also a good step. Then, simplification of process is also an important step. All these suggestions are well and good.

Sir, we have to admit one thing. There is a lack of adequate survey on exploration activities, which are in full swing. This point is yet to be discussed because we have to concentrate on this. What are all our resources? How far can we take it? All these things will have to be studied, in detail.

Sir, another point, which I want to raise is about involvement of Panchayat in this decision-making process. This point was already debated in the Standing Committee, whether it is consent or consultation. I am of the firm opinion that it should be consent. Involvement of the local bodies should be ensured in the decision-making process.

Similarly, the interests of the tribal people have to be protected. The Standing Committee has also recommended by saying: "The Committee desire that to protect the interests of the tribal living in the Scheduled area, he is allowed to transport and store minerals for personal use but not for any commercial use as prescribed and notified for the purpose by the State Government."

This clause may be amended suitably. It is a very valuable suggestion of the Standing Committee.

Similarly, we all want that it should be local people friendly. My learned friends were saying about it. It should have benefits for the local people.

Then, Sir, another important point is about compensation. Adequate compensation should be paid to the land owners. I hope that the Government will seriously consider this suggestion.

Similarly, health hazard affecting people, is also a very important thing which needs to be taken care of. Then, safety question is also not a small thing. It also should be given serious consideration. There must be clear-cut provisions in respect of compensation for the damage and loss of properties and other related things.

Towards the end, I would like to say that in mineral foundation, local representatives like MPs, MLAs, and Panchayat sarpanches should also be included.

With these few suggestions, I conclude.

श्री हुकुम सिंह **(**कैराना**) :** उपाध्यक्ष महोदय, आपने मुझे इस महत्वपूर्ण बिल पर बोलने का मौका दिया, इसके लिए मैं आपको धन्यवाद देता हूं।

इस बिल के बारे में जो स्टेटमैन्ट ऑफ ऑब्जैक्ट्स एंड रीजन्स हैं, उसमें विस्तार से दिया हुआ है कि यह बिल आया, ऑक्शन का प्रोविजन 1957 के एक्ट में नहीं था, इसलिए ऑक्शन का प्रोविजन लाने के लिए इसमें महत्वपूर्ण भूमिका आई है। मैं बहुत गम्भीरता के साथ विचार कर रहा था कि आखिर ऑक्शन की बात क्यों आई, ट्रांसपेरेन्सी के लिए, ताकि सबको पता लगे कि हमने कोई गलत काम नहीं किया। यह शुरूआत कहां से हुई। मन में तकलीफ इस बात की है कि जनप्रतिनिधि जो इतने बहुमत से चुनकर यहां आते हैं, कहीं न कहीं जनता के विश्वास को उन्होंने धक्का पहुंचाया है, 1957 के एक्ट में जो विवेक उन्हें दिया गया था, उस विवेक का दुरुपयोग हुआ। यदि दुरुपयोग न हुआ होता तो शायद आज इस विधेयक की आवश्यकता न पड़ती। मैं चाहता हूं कि हर काम केवल माननीय सर्वोच्च न्यायालय तक न जाए और उसकी प्रतिकूल टिप्पणी के बाद में हम लोग जागना न शुरू करें और फिर कहें कि नहीं पारदर्शिता आयेगी, हम ऑक्शन का प्रोविजन कर रहे हैं। यह ऑक्शन का प्रोविजन करने की नौबत ही नहीं आनी चाहिए थी, अगर हम लोगों ने अपनी जिम्मेदारी का एहसास किया होता और ईमानदारी के साथ अपना काम किया होता।

अब यह विधेयक आज संशोधन के लिए आया है, मैं इसका स्वागत भी करता हूं और मंत्री जी को इस बात के लिए बधाई भी देता हूं कि कम से कम पारदर्शिता के क्षेत्र में उन्होंने यह बहुत अच्छा काम किया है। मैं एक-दो सुझाव दूंगा। यह बात ठीक है कि ऑक्शन होगा, लेकिन ऑक्शन में भाग कौन लेगा, जिसकी आर्थिक स्थिति बहुत अच्छी होगी, मजबूत होगी, जिसके पास एक निश्चित धनराशि की व्यवस्था होगी। जो लोग वहां पर काम कर रहे हैं, जो वहां के मूल निवासी हैं। मैं इस बात को मानता हूं कि मूल निवासियों में कोई ऐसी स्थिति नहीं है कि वे ऑक्शन में भाग ले सकें, क्योंकि जो

व्यवस्था की गई है, उसमें वे हिस्सेदार हो ही नहीं सकते। फिर क्या जीवन भर के लिए उनकी किस्मत में मजदूरी लिख दी गई है? वहां पूंजीपति जायेंगे, बड़े-बड़े लोग वहां जायेंगे और वहां के मूल निवासी, जो जन्म-जन्मांतर से मजदूरी करते आ रहे हैं, वे वही करते रहेंगे। भविष्य में उनकी नस्लों में सुधार करने के बारे में भी हमें सोचना चाहिए था।

मेरा मंत्री जी से आग्रह है कि वह इस बारे में भी विचार करें कि क्या कोई सहकारी समिति बनाकर हम स्थानीय व्यक्ति, जो वहां बसे हुए हैं, उन्हें एक मौका ओनरशिप का दे सकते हैं या नहीं दे सकते हैं।

दूसरी बात यह है कि यह एक प्राकृतिक असैट है, जो हमें दिया हुआ है। मैं इस बात के लिए आग्रह करता हूं कि इसका भी प्रोविजन होना चाहिए और ओवर एक्सप्लॉयटेशन नहीं होना चाहिए। अगर इस रिसोर्स का ओवर एक्सप्लॉयटेशन होगा तो भविष्य के लिए क्या बचेगा। मैं आपके सामने एक उदाहरण देना चाहता हूं कि हम लोगों के लिए पानी कितना आवश्यक है और पानी से अधिक जरूरी चीज दूसरी कोई नहीं है, लेकिन हमारे ओवर एक्सप्लॉयटेशन के कारण आज पानी का भी संकट पैदा होता जा रहा है, चिंता पैदा होती जा रही है। अगर इसी प्रकार से हम मिनरल्स का भी एक्सप्लॉयटेशन करते रहे और उसमें हमने कोई कंडीशन न रखी, शर्त न रखी तो आगे भविष्य के लिए क्या बचेगा। इसलिए मैं आग्रह करना चाहता हूं कि ये कुछ मौलिक बिन्दु हैं, इन मौलिक बिन्दुओं के ऊपर विचार होना चाहिए। धन्यवाद।

SHRI C.N. JAYADEVAN (THRISSUR): I stand to oppose the Mines and Minerals (Development and Regulation) Ordinance, 2015. It is primarily because we are against the making of legislation through undemocratic route of Ordinances by passing them in Parliament. The NDA Government led by Modi ji has promulgated nine Ordinances since it assumed office on 26th May, 2014. Though the earlier Governments have also promulgated Ordinances, it is unprecedented that six Ordinances were issued in one session out of which two Ordinances were re-promulgated to pass them in both the Houses.

Secondly, the present Ordinances is to amend the Mines and Minerals (Development and Regulation) Act, 1957 to allow auction policy in grant of binding leases for both bulk minerals and notified minerals and to attract private investment.

13.00 hrs.

But certain State Governments such as Odisha, Goa and Karnataka are sceptical about many provisions in the Ordinance. They fear that the rights of the States have been diluted by the Ordinance and have raised questions about the Centre-State relationship. The Ordinance has extended the lease for mines pending renewal by 15 years in case of captive mines and by five years for others. The extension of lease means the States have lost the money they would have otherwise made by re-bidding the contract after its expiry in the normal course. They say that these provisions were incorporated in the final Ordinance without consulting the State Governments. Another sour point with the States is the modification to the method of granting concessions. The Ordinance has added 12 new clauses in the Central Government's powers to make new rules for this sector, for instance, all mineral concessions can now be granted only through auctions. That is all.

SHRI PRALHAD JOSHI (DHARWAD): Mr. Deputy Speaker, Sir, the basic objective of bringing the changes is to prevent unmindful exploitation of the mineral wealth hidden under the earth, to prevent the unlawful mining of the exploitation of the natural resources.

In India, mining and mineral development has been in existence since before 18th century. The House is aware of the fact that mines and minerals are national wealth and this sector contributes about three per cent to the GDP. The Supreme Court in the 2G case – Writ Petition 10/211 Dr. Subramanian Swamy vs. Union of India – ...(*Interruptions*)

HON. DEPUTY SPEAKER: Shri Joshi, please take your seat for a while.

Hon. Members, there is no lunch break today and we are continuing with the debate.

SHRI S.S. AHLUWALIA (DARJEELING): Sir, please announce at what time voting will take place.

HON. DEPUTY SPEAKER: That you have to decide. If you complete the debate quickly, then we will take up voting.

SHRI S.S. AHLUWALIA: If you announce the time, Members can go, have their lunch and come back.

HON. DEPUTY SPEAKER: You can come back within half an hour.

THE MINISTER OF URBAN DEVELOPMENT, MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI M. VENKAIAH NAIDU): Hon. Deputy Speaker Sir, I request you to announce that the voting will be done at 1400 hours so that the hon. Members can have their lunch.

HON. DEPUTY SPEAKER: That is what I am telling. Shri Pralhad Joshi, you may continue.

SHRI PRALHAD JOSHI : The respective State, the Union of India has to make the suitable law in this regard. I quote a verse from *Atharvaveda* which says: "Oh earth! Whatever we dig out from you must have to be filled up again and restored as fast as possible. Oh Pure One! We do not intend to hit you at your heart of hearts." This is what *Atharvaveda* says. So, in the 2G case, the Supreme Court said that the State was duty-bound to adopt the method of auction while allocating the natural minerals. Keeping these aspects of the matter in mind, the NDA Government under the leadership of Shri Narendra Modiji decided to stop the looting of natural resources of minerals by bringing amendments to those parts of the Mining Act of 1957 which have given free hand to the Government to allocate mining areas to their favourites. The Act of 1957 had no provisions for licensing the mining by way of auctions or e-auctions. Therefore, the Government seeks to amend Section 8 and Section 10 of the original Act with Section 8A and Sections 10A, 10B and 10C among other Sections providing for the licenses by way of auctioning for mining of various mines to remove the

discretionary and arbitrary powers of the Government.

Many from the other side have made a big issue of the Ordinance. The amendment is mainly aimed at eliminating discretion and providing for allocation of mining area by e-auction which is a transparent method, improving the transparency and obtaining for the Government enhanced share of the value of mineral resources.

Someone asked, what was the urgency? We know what happened in the coal block allocation? We all know how it was handled and how the matter went to the Supreme Court. Subsequently, what happened is known to all.

Now even they are telling why there is such an urgency but when the decision was taken to promulgate an Ordinance, we know how the Government of Karnataka behaved just before the Ordinance was promulgated on 12.01.2015. The Government of Karnataka made all possible conspiracies to defeat the provisions of this Ordinance and this Bill which is going to become law by renewing the mining licenses of certain companies which have completed 50 years. For example, the license of M/s. Sesa Sterlite Industries was renewed 4th time with an area of 201.6 hectares just by discretion after completion of 50 years on 07.01.2015. The Cabinet gave its approval for the Ordinance on 05.01.2015. The Ordinance came out on 12.01.2015 with the President's assent. On 07.01.2015, they allotted for Sesa Sterlite Industries 201 hectares of area for 4th time after completion of 50 years. I would like to mention that this company is in the list of illegal mining companies. The matter went before the Supreme Court and the Supreme Court has reprimanded the State Government on that. Despite that, the lease has been extended for 20 years in favour of this company on 07.01.2015 by the State Government. If it had been auctioned, the Government of Karnataka could have got a few thousand crores of rupees but just using the discretionary power under Sections 8 and 10 of the old Act of 1957 which is in force now, they have extended the lease.

Again, on 12.1.2015 and 19.1.2015, for eight companies, 'in principle' approval was given. As I already said, the Ordinance was promulgated on 7.1.2015 and on 12.1.2015 and 19.1.2015, before the *Gazette* notification was issued 'in principle' approval was given for eight companies, for extension of their licences.

HON. DEPUTY SPEAKER: Please conclude. We have voting at two o'clock.

...(*Interruptions*)

SHRI PRALHAD JOSHI : I have just one last point. ...(*Interruptions*)

The licences of all these companies had expired two or three years ago. The Supreme Court had also said that the investigation by the CBI was going on against these companies for illegal mining and the matter was pending in the Court. Despite that, the licences and leases were extended. This is where the necessity is for the Ordinance. ...(*Interruptions*)

HON. DEPUTY SPEAKER: Now, you please conclude and sit down.

...(*Interruptions*)

SHRI PRALHAD JOSHI : The Bill was also delayed. ...(*Interruptions*)

I urge the hon. Minister to see that the extension of licences to all these eight companies, which was given unauthorisedly should be cancelled.

श्री भगवंत मान **(**संगरूर**):** उपाध्यक्ष महोदय, देशभक्ति का एक गीत बहुत ही फेमस है - 'मेरे देश की धरती सोना उगले, उगले हीरे-मोती।' यह बात बहुत सच है कि मेरे देश की धरती सोना और हीरे-मोती उगलती है। कुदरत ने हमारे देश की धरती को बहुत से हीरे-मोती और बेशुमार कीमती खनिज पदार्थ दिये हैं। लेकिन उन्हें कैसे यूज़ किया जा रहा है, कैसे खनिज पदार्थों को इल्लीगल माइनिंग की वजह से लूटा जा रहा है, इस बारे में ज्यादा बोलने की जरूरत नहीं है। कोयले की माइनिंग में क्या हुआ है, उस बारे में पूरा देश जानता है। माननीय सुप्रीम कोर्ट को इस मामले में इंटरफियर करना पड़ा, जिसकी वजह से कितनी दिक्कतें हुई, यह भी सबको पता है।

उपाध्यक्ष महोदय, कुदरत ने दरियाओं के हार पंजाब को दिये। पंजाब का नाम पांच दरियाओं, पांच आब पर है। लेकिन दरियाओं में जो सेंड, रेत, बजरी है, उसके भी माफिया बने हुए हैं। आज गरीब के लिए नहीं, बल्कि अच्छे मिडिल क्लास के लोगों के लिए घर बनाना बहुत मुश्किल हो गया है, क्योंकि सेंड माफिया बहुत सक्रिय है। इल्लीगल माइनिंग की वजह से माइनिंग पर जो सेक लगी है, उसकी वजह से आम लोगों को दिक्कत आ रही है। एक किसान अपने खेत में ट्यूबवैल नहीं लगा सकता, क्योंकि वह माइनिंग में आता है। लेकिन दरियाओं को लूटा जा रहा है *दरियाओं पर कब्जा कर लिया गया है, जो कुदरत ने दिये थे, जो सबके सांझे थे। इस पर कोई ध्यान नहीं दिया गया।

मैं कहना चाहता हूं कि नहरों की सिंचाई ...(व्यवधान)

HON. DEPUTY SPEAKER: If there is anything unparliamentary, it will be removed.

...(*Interruptions*)

श्री भगवंत मान **:** अभी एक केस कोर्ट में चल रहा है। धरती के नीचे जो पानी जा रहा है, पानी का लैवल नीचे जा रहा है, उसके लिए किसानों को जिम्मेदार ठहराया जा रहा है। लेकिन पंजाब में धरती के नीचे से पानी निकालने की जरूरत ही नहीं होनी चाहिए थी, क्योंकि वहां इतना पानी था। नहरों से सिंचाई का जो सिस्टम फेल हो गया है, उसे भी अगर अच्छा किया जाये तो यह इल्लीगल माइनिंग की समस्या काफी हद तक हल हो सकती है। रेत माफिया पर कंट्रोल हो, इस बारे में सरकार कुछ सख्त कदम उठाए।

मैं आपके माध्यम से यही कहना चाहता हूं कि पंजाब ऐसे कानूनों की बहुत ही बेसब्री से इंतजार कर रहा है, ताकि पंजाब को दोबारा पंजाब बनाया जा सके। इसे केलिफोर्निया या पेरिस बनाने की जरूरत नहीं है। पंजाब को दोबारा पंजाब बना दिया जाये। इससे देश की बहुत भलाई होगी। बहुत-बहुत धन्यवाद।

SHRIMATI MAUSAM NOOR (MALDAHA): Thank you, Sir, for giving me an opportunity.

At the very outset, every aspect seems fine with the amendment proposal, with every intent fine tuned to perfection. However, a fine print belies the

glossy work, much like every other Act and Ordinance this Government 'by the people, for the rich' brought forward, be it the Land Acquisition Ordinance or the Insurance Bill. It hides within itself a crooked intent to mute the rights of States and shroud and blindfold the rights of States. This Ordinance is no less an assault on the sovereignty of States and centralisation of powers.

Sir, due to paucity of time I will just speak on three Sections. First of all, I will take Section 18, which will be inserted as Section 20A of this Act. This clause is a clear indication of how the Union Government wants to subvert the right to decision from the States and the term 'national interest' remains the most dangerous tool that can be used against any State, individual and association if they are found to be against the nation and its interest, where nation is often the ruling dispensation and interest means their vested interests of favouring their own.

'National interest' bogey cannot be thrust upon States especially in mining sector where we have seen favouritism at its highest, causing violation of licence terms. So, as long as clarity is brought upon 'national interest' and the Government is ready to accept to issue a clarification on this point, the Ordinance must not be allowed to proceed further.

If we go through Section 30, the Central Government can revise an order of a State Government. Also, it can exercise its will even if no order has been made by the State Government.

Section 9B speaks about the District Mineral Foundation. This clause is another instance where the Government is clearly seen to be pondering to the interests of the miners than the people of the States. We all know that the mined products acquire many folds a sum than the original cost and capital input by the licensee. The present rates of minerals are soaring and still the Government, as a gesture of appreciation to the miners, has capped the royalty at one-third.

So, the District Mineral Foundation proposed in the amendments is mere eyewash like many CSR projects carried out by the corporations. However, what best can we expect from a Government that finds relaxation of wealth tax for the rich while refusing to write off the interest accrued for student loans.

Unless and until these restrictive clauses are removed, this amendment must not pass the test of the House.

To conclude, I would state that we are a federal Union and withoutÃ bUnion of States formed by States enjoying their federal status, hardly we remain a Union. Intervention cloaked as excuse to progress must not destabilise the foundation principles on which this nation is built. Thank you.

श्री विद्युत वरन महतो **(जमशेदपुर):** माननीय उपाध्यक्ष जी, मैं खान और खनिज (विकास और विनियमन) (संशोधन) विधेयक के पक्ष में बोलने के लिए खड़ा हुआ हूं। मेरा प्रमंडल खनिज संपदा से भरा हुआ है। गुआ, चिरिया माइन्स में आयरन का भंडार है। इसके बगल में खरसवां में काइनाट का भंडार है। इससे 10 कि.मी. जादुगोड़ा में यूरेनियम का भंडार है। पांच किलोटर आगे गोल्ड माइन्स हैं और इससे आगे तामू जननी के रूप में कॉपर मिलता है। इतने वर्षों से मिनरल्स को दोहन हुआ लेकिन स्थानीय लोगों को रोजगार नहीं मिल पाया, विकास नहीं हो पाया। उदाहरण के तौर पर मैं बताना चाहता हूं कि मुसाबनी क्षेत्र में सुरदा माइन्स लीज़ एक्सटैंशन नहीं होने के कारण बंद हो गई थी। मैं माननीय मंत्री जी को धन्यवाद देना चाहता हूं कि, वे जो अध्यादेश लाए हैं, इससे उस क्षेत्र का विकास अवश्य होगा क्योंकि यहां ऐसी बहुत माइन्स हैं जो लीज़ न होने के कारण बंद पड़ी हैं।

महोदय, हिंदुस्तान कॉपर लिमिटेड में 10-12 साल पहले मजदूरों को वी.आर.एस. दी गई लेकिन आज तक एरियर्स का भुगतान नहीं हुआ है। मैं आपके माध्यम से सरकार का ध्यान दिलाना चाहता हूं कि यहां माइन्स की ओर से छः स्कूल खोले गए थे लेकिन 12 साल से वहां के शिक्षकों के मानदेय का भुगतान नहीं हुआ है। अब वे स्कूल को नहीं चला रहे हैं बल्कि बंद कर दिए गए हैं। इससे वहां के जनजातीय लोगों में काफी आक्रोश है। यहां मिनरल्स का दोहन होता है, यहां के मूल निवासियों का विस्थापन होता है लेकिन इनके मुआवजे और पुनर्वास के लिए किसी तरह से भी राज्य सरकार और केंद्र सरकार ने ध्यान नहीं दिया है। फलस्वरूप वे लोग गलत रास्ते पर चल पड़े हैं। फलस्वरूप, आज वे लोग गलत रास्ते पर चल पड़े हैं। जहाँ तक अवैध खनन की बात है, तो गुड़ाबांदा एक ऐसा क्षेत्र है, जहाँ पर पन्ना और नीलम का पन्द्रह वर्षों से अवैध खनन जारी है। जब मैं विधायक था, तो उस समय मैंने वहाँ के विधान सभा में इस बात को उठाने की कोशिश की थी कि इतने बड़े पैमाने पर पन्ना और नीलम की तस्करी हो रही है, इसे राज्य सरकार और केन्द्र सरकार देखें और उनको सूचीबद्ध करके ऑक्शन के माध्यम से जो भी रॉयल्टी आए, चूंकि वह पूरी तरह से नक्सल प्रभावित इलाका है, वहाँ न रास्ता है, न स्कूल है, न कॉलेज है, न ही अस्पताल है, उससे उस क्षेत्र का विकास करने की आवश्यकता है।

हम पिछले सौ वर्षों से देखते रहे हैं कि निजी उद्योग और सरकारी उद्योग द्वारा किरिबुरू मेगाहातुबुरू में, जहाँ लोहे का अयस्क होता है, उस जगह पर हम जाते हैं, तो उस जनजातीय क्षेत्र में पीने का पानी तक भी उपलब्ध नहीं होता है। वहाँ के लोग लाल पानी पीने के लिए मजबूर हैं। जिस प्रकार से यहाँ के जनजातीय क्षेत्रों में हम लोग देख रहे हैं, लोगों का पलायन भारी मात्रा में हो रहा है। अभी पिछले वर्ष, केरल के एक रेलवे स्टेशन से करीब 560 व्यक्ति, जो पूरी तरह से जनजातीय वर्ग से संबंधित थे, को जब रेलवे स्टेशन पर पकड़ा गया और उनको सर्च किया गया, तो उन लोगों के पास वापसी के लिए रेल का भाड़ा भी नहीं था।

महोदय, जिस प्रकार से वे लोग उस क्षेत्र के मालिक होते हुए भी आज दर-दर भटक रहे हैं, पलायन के लिए मजबूर हो रहे हैं, आज ह्युमैन ट्रैफिकिंग झारखण्ड में सक्रिय है, यह भी एक मूल कारण है कि जहाँ माइंस के खनन के बाद वहाँ के विस्थापितों का, वहाँ के लोगों का और सरकार के उदारीकरण के साथ-साथ लोगों के रिहैबिलिटेशन के लिए पुनः सरकार को एक नियम बनाना चाहिए और वहाँ जो राजस्व है, उससे अधिक से अधिक विकास का काम करना जरूरी है।

जहाँ तक मेरे संसदीय क्षेत्र की बात है, तो वहाँ यूरेनियम का भंडार है और लगभग छः जगहों से यूरेनियम का उत्पादन होता है। लेकिन अफसोस इस बात का है कि वहाँ के आदिवासी लोगों को सिर्फ बीमारी मिली, उनके लिए विकास की कोई योजना नहीं बनी, लेकिन आपके माध्यम से मैं केन्द्र सरकार से आग्रह करना चाहता हूँ कि उस क्षेत्र में एक न्यूक्लियर पावर प्लांट की स्थापना की जाए ताकि ट्राइबल क्षेत्रों में, जहाँ बिजली का घोर अभाव है, शिक्षा और विकास का काम अवरुद्ध है, वह सुचारू रूप से चलाया जा सके। इसलिए उस क्षेत्र में विकास की गति को तेज किया जाए। आपने मुझे बोलने का अवसर दिया, इसके लिए बहुत-बहुत धन्यवाद।

SHRIMATI BUTTA RENUKA (KURNOOL): Mr. Deputy-Speaker, Sir, our YSR Party under the leadership of a young leader, Mr. Jaganmohan Reddy, right from the beginning is supporting the Government on all the issues which are aimed at improving the living standard of poor people and good governance at the Centre.

In that direction, I welcome the proposed Mines and Minerals (Development and Regulation) Bill, 2015. The Government has increased the transparency and has generated more income by doing auction of the mines. However, since the national resources are limited, in nature, and cannot be re-generated, it is very essential that we use these resources like coal and iron very sparingly like other countries.

We appreciate that the minerals are the raw material for manufacturing industries and for generation of power. Therefore, we must preserve it for future generations. I appreciate and congratulate the Government on certain important issues like making provisions for auctioning of the coal mines, thereby bringing transparency and more money to the Government which is available for country's development. However, the tenure of lease has been increased from 30 to 50 years. If it happens, then it will affect the future generation. It will deprive the next generation entrepreneurship. The present Bill allows transfer of lease. That may lead to the misuse of the intention of the Government. It will lead to black marketing and exploitation. In auctions if the lease cannot be used for the purpose for which it is given, then Government should take over and re-auction it. The proposed clean energy cess of Rs. 100 to Rs. 200 per MT in the Budget may have a negative effect. For example, it will increase the cost of coal and thereby the cost of power which will affect the common man.

HON. DEPUTY-SPEAKER: You speak about minerals. The issue of coal is scheduled to be discussed later. You can speak on that then.

SHRIMATI BUTTA RENUKA: Sir, it is regarding the workers also. The provisions of the Bill lacks in providing the safeguards to the mining workers, particularly with regard to their physical and financial security. The mining workers face a lot of diseases. So, it is essential for the Government to give protection for that and provide the stakeholders safety and security.

खान मंत्री तथा इस्पात मंत्री **(**श्री नरेन्द्र सिंह तोमर**):** माननीय उपाध्यक्ष महोदय, मैं आपके माध्यम से इस संशोधन विधेयक पर चर्चा में भाग लेने वाले सभी माननीय सदस्यों के प्रति आभार प्रकट करना चाहता हूं। श्री प्रेमचन्द्रन जी, श्री अभिषेक जी, श्री अधीर रंजन चौधरी जी, श्री गोपालकृष्णन जी, श्री सौगत राय जी, श्री तथागत सत्पथी जी, श्री विनायक जी, श्री एम.निवासराव जी, श्री बी.वी. पाटिल जी, श्री ए. सम्पथ, श्री करिया मुंडा जी, श्री राजामोहन रेड्डी जी, श्री एस.पी.मुद्दहनुमे गौड़ा जी, श्री विजय कुमार जी, श्री प्रहलाद पटेल जी, श्री मोहम्मद बशीर जी, श्री हुकुम सिंह जी, श्री प्रह्लाद जोशी जी, मान साहब, श्रीमती मौसम नूर, श्री विद्युत वरण महतो जी और श्रीमती रेणुका जी, मुझे इस बात की प्रसन्नता है कि इस विधेयक के बारे में चर्चा में बड़ी संख्या में सदस्यों ने भाग लिया। एक विषय पर सभी लोग एकमत थे कि संशोधन बहुत अच्छा है, जनहित में हैं और पारदर्शिता बढ़ाने वाला है। इसके लिए मैं माननीय सदस्यों का हार्दिक अभिनन्दन करता हूं।

उपाध्यक्ष महोदय, यह बात कही गयी कि यह अध्यादेश क्यों लाया गया, हमारे देश को आजादी प्राप्त हुए 65 वर्ष हुए हैं और हमारा लोकतंत्र इतना परिपक्व है कि आजादी के इन वर्षों में देश के राजनीतिक क्षेत्र में कार्य करने वाले अधिकांश राजनीतिक दलों को किसी न किसी रूप में केन्द्र सरकार में रहने का अवसर मिला है और राज्यों में भी सरकार चलाने का अवसर मिला है। अगर हम देखें तो यह अध्यादेश कोई पहला अध्यादेश नहीं है, इससे पहले 637 अध्यादेश आ चुके हैं। कांग्रेस सरकारों के कार्यकाल में 456 अध्यादेश आए हैं और जब एक बार संयुक्त मोर्चा की सरकार बनी, हमारे कम्यूनिस्ट मित्रों सहित सभी दल उसमें शामिल थे, उस सरकार ने भी 77 अध्यादेश जारी किए थे।

14.00 hrs.

अध्यादेश कोई नई बात नहीं है, यह संविधान में उपलब्ध प्रक्रिया है। जब आवश्यकता पड़ती है और जनहित का काम होता है तो सरकार इसका उपयोग करती है और महामहिम राष्ट्रपति जी इसे जारी करते हैं।

उपाध्यक्ष महोदय, हम लोग 14 मई, 2014 को सरकार में आए। हमारी सरकार बनने के बाद हमारे प्रधान मंत्री जी ने बहुत ही दृढ़ता से यह बात कही कि उनके नेतृत्व में चलने वाली सरकार पारदर्शिता से काम करेगी, विवेकाधिकार को समाप्त करेगी, प्रक्रियाओं में जो विलम्ब होता है, उसे समाप्त करेगी। इसके अलावा यह सरकार गरीब, आदिवासी और सुदूर ग्रामीण अंचल में बैठे व्यक्तियों के हित में काम करेगी।

इस दृष्टि से जब माइनिंग विभाग मुझे मिला तो मैंने अपने विभाग की समीक्षा की। मैंने देखा कि माइनिंग का क्षेत्र देश का एक महत्वपूर्ण क्षेत्र है। इस क्षेत्र का देश की जी.डी.पी. में भी दो प्रतिशत से अधिक का योगदान है। खेती के बाद खनिज सबसे अधिक रोजगार सृजन करने वाला क्षेत्र भी है। आज सबसे अधिक जरूरत देश में रोजगार की है। लेकिन जो इतना महत्वपूर्ण क्षेत्र है, जो विकास दर को बढ़ाने वाला क्षेत्र है, जो रोजगार के क्षेत्र में भी महत्वपूर्ण योगदान देने वाला क्षेत्र है, वह क्षेत्र एकदम बैठता जा रहा है, क्योंकि खनिज का उत्पादन घटता जा रहा है। खनिज के आधार पर चलने वाला उद्योग संकट के कगार पर खड़ा है। खदान में काम करने वाले मजदूरों के लिए रोजी-रोटी का संकट आ खड़ा हुआ है।

मुझे लगा कि इस विषय पर हम लोगों को कुछ प्रयास करना चाहिए। आज आप ऑयरन ओर को देखें, मैं उसके कुछ आंकड़े आपके समक्ष प्रस्तुत करना चाहता हूं। देश के खनिजों में प्रमुख रूप से ऑयरन ओर आता है। सन् 2008-2009 में इसका उत्पादन 212.96 मिलियन टन था और निर्यात 68.90 मिलियन टन था। सन् 2009-2010 में इसका उत्पादन 218.55 मिलियन टन था और निर्यात 101.43 मिलियन टन था। सन् 2010-2011 में इसका उत्पादन 207.16 मिलियन टन था और निर्यात 46.89 मिलियन टन हुआ। सन् 2011-2012 में इसका उत्पादन 168.58 मिलियन टन और निर्यात 47.15 मिलियन टन था। सन् 2012-2013 में इसका उत्पादन 136.2 मिलियन टन और निर्यात 17.42 मिलियन टन था। सन् 2013-2014 में इसका उत्पादन 152.06 मिलियन टन और निर्यात 16.50 मिलियन टन था और 2014-2015 नवम्बर तक इसका उत्पादन गिरकर 42.13 मिलियन टन पर आ गया और निर्यात सिर्फ 4.38 मिलियन टन हुआ। आप देखें कि जहां हम 218 मिलियन टन उत्पादन पर खड़े थे और 101 मिलियन टन निर्यात कर रहे थे, वहां पर हम 152 मिलियन टन पर आ गए और निर्यात भी घट गया। ऐसी परिस्थिति में मैंने विभाग से विचार किया और तय किया कि कोई न कोई कार्रवाई की जाए। इसलिए हम लोगों को लगा कि अगर पारदर्शिता लानी है और इस पूरे क्षेत्र को प्रोत्साहित करना है, प्रोडक्शन भी बढ़ाना है तो हमें एक्ट में परिवर्तन की ओर जाना होगा, इसलिए हम लोगों ने इस प्रक्रिया को प्रारम्भ किया।

उपाध्यक्ष महोदय, मैं कई राज्यों में भी गया, जहां मैंने वहां के मुख्यमंत्रियों और अधिकारियों से भी चर्चा की और 26.06.2014 को मैंने सम्बन्धित मुख्यमंत्रियों को पत्र भी लिखा और सुझाव मांगे। राजस्थान, गुजरात, महाराष्ट्र, कर्नाटक, मध्य प्रदेश, झारखंड, ओडिशा, तेलंगाना सबने लिखित में सुझाव दिए, जो हितधारक हो सकते हैं। खनिज क्षेत्रों में काम करने वाले संगठन हो सकते हैं, श्रमिक संगठन हो सकते हैं, सबसे हमने बातचीत की। राज्यों के सचिवों से, निदेशकों से और प्रमुख सचिवों के साथ भी दिल्ली में मीटिंग की और चर्चा की। हमने उनसे भी सुझाव मांगे और विचार-विमर्श हुआ। उसके उपरान्त हम लोगों ने एक ड्राफ्ट बनाया और उसे 17.11.2014 को वेबसाइट पर डाला गया। हमारी इच्छा थी कि हम इसे शीतकालीन सत्र में ले आएं, लेकिन विचार-विमर्श का कूम पूरा नहीं होने के कारण हम शीतकालीन सत्र में इसे नहीं ला सके, इसलिए हमें इसे ऑर्डिनेन्स के रूप में लाने पर विवश होना पड़ा। लेकिन सरकार की इसके पीछे नीयत अच्छी है। यह निश्चित रूप से सरकार का एक क्रान्तिकारी कदम है।

इस संशोधन के पश्चात विवेकाधिकार पूरी तरह से समाप्त हो जाएगा, पारदर्शिता आवंटन में आएगी, खनन के कार्य को प्रोत्साहन मिलेगा, एक्सप्लोरेशन को गति मिलेगी। गरीब आदिवासियों की बात बहुत सारे माननीय सदस्यों ने कही है, इस बात को दृष्टिगत रखते हुए इस बात की व्यवस्था पहली बार की गई है कि जिस क्षेत्र में खनन होता है, उससे प्रभावित व्यक्ति अथवा क्षेत्र का ध्यान भी इसमें रखा गया है। अवैध खनन के मामले में बहुत कठोर मानदंड हमारी सरकार ने इस संशोधन के माध्यम से बनाए हैं।

महोदय, आपको ध्यान होगा कि पिछली बार जब यू.पी.ए. की सरकार थी। यू.पी.ए. की सरकार ने भी एम.एम.डी.आर. अमेंडमेंट बिल बनाया था, लेकिन वह पास नहीं हो सका। उस सरकार में भी जो आबंटन की प्रक्रिया थी, उस प्रक्रिया में ऑक्शन दिखाई तो देता था, लेकिन ऑक्शन के साथ कई खिड़कियां भी थीं, जिसमें पहले आओ और पहले निकलने का रास्ता भी था, लेकिन हमारे इस अमेंडमेंट के माध्यम से सरकार यह सुनिश्चित करने जा रही है कि अब नीलामी ही आबंटन का एकमात्र रास्ता होगा। किसी भी प्रकार का विवेकाधिकार न राज्य सरकार को होगा, न केंद्र सरकार को होगा और न ही किसी अन्य को होगा। नीलामी के माध्यम से निश्चित रूप से राज्य सरकार को ही फायदा होने वाला है, क्योंकि जो रकम नीलामी से आएगी, वह सारी की सारी राज्य सरकार को ही मिलने वाली है। आप सभी लोगों के ध्यान में होगा कि कोल ब्लाक्स का ऑक्शन अभी हुआ है। कोल में 204 माइन्स सुप्रीम कोर्ट ने निरस्त की थीं। अभी मात्र 18 कोल माइन्स का आवंशन हुआ है

और 1,22,000 करोड़ रुपए का लाभ उसके कारण राज्यों को हुआ है। जिस दिन इनका ऑक्शन होगा और ब्लाक्स की नीलामी होगी, उस समय भी राज्यों को ही लाभ होने वाला है।...(व्यवधान)

HON. DEPUTY-SPEAKER: Let the Minister complete his reply.

...(*Interruptions*)

HON. DEPUTY-SPEAKER: Nothing will go on record.

...(*Interruptions*) *

HON. DEPUTY-SPEAKER: Mr. Minister, you address the Chair.

...(*Interruptions*)

HON. DEPUTY-SPEAKER: Nothing will go on record.

...(*Interruptions*) *

श्री नरेन्द्र सिंह तोमर : महोदय, मैं माननीय सौगत राय जी से निवेदन करना चाहता हूं कि कल मैंने आप सब लोगों को सुना और आज भी मैंने आप लोगों को सुना, अब मैं जो बोलने जा रहा हूं, उसमें आपकी बात आ जाएगी। उसके बाद अगर कुछ बचेगा तो मैं आपकी बात का उत्तर दूंगा।

एक्सप्लोरेशन के मामले में सभी लोगों ने बहुत चिंता व्यक्त की है। मैं इस बात से सहमत हूं और आपकी चिंता से भी सरकार अवगत है। आज हम देखेंगे तो हमारे पूरे देश में माइनिंग का सम्भावित क्षेत्र 8.13 लाख वर्ग किलोमीटर का है और इसमें से अभी तक जियो-फिजीकल मैपिंग का काम सिर्फ 15 प्रतिशत में हुआ है। आज जो माइनिंग हो रही है, वह लगभग एक प्रतिशत ही है। बहुत ज्यादा क्षेत्र में माइनिंग नहीं हो रही है, बहुत ज्यादा क्षेत्र में एक्सप्लोरेशन नहीं हुआ है, इसलिए हमारी सरकार ने यह विचार किया है कि एक्सप्लोरेशन में हम तेजी लाएंगे और ध्यान देंगे, जिससे कि एरिया एक्सप्लोर हो सके, नीलामी हो सके और अधिक से अधिक खनिज प्रोडक्शन के मूल्य में सरकार को हिस्सा मिल सके। हम लोगों ने एक्सप्लोरेशन के लिए जी.एस.आई. और एम.ई.सी.एल. के अतिरिक्त एन.एम.डी.सी., सेल, मौईल, आर.आई.एन.एल. और के.आई.ओ.सी.एल. जैसे सार्वजनिक उपक्रमों को भी अधिसूचित किया है और राज्यों के पी.एस.यू. को भी हम आग्रह कर रहे हैं कि वे भी एक्सप्लोरेशन की दृष्टि से आगे आएं। हमने नेशनल मिनरल ट्रैस्ट भी बनाया है जिसमें कुछ पैसा आएगा और उस नेशनल मिनरल ट्रैस्ट का पैसा भी उस एक्सप्लोरेशन में लगाया जाएगा जिसमें हम बहुत पीछे चल रहे हैं। आज हम देखेंगे तो हम मात्र 0.3 प्रतिशत एक्सप्लोरेशन पर खर्च करते हैं जबकि आस्ट्रेलिया 12 प्रतिशत और कनाडा 19 प्रतिशत पैसा एक्सप्लोरेशन पर खर्च करता है। हमारी एक्सप्लोरेशन की क्षमता इसीलिए कम है क्योंकि सरकार उस पर खर्च नहीं कर पा रही है। नेशनल मिनरल ट्रैस्ट इस दृष्टि से एक बड़ा कदम है।

50 वर्ष पट्टा अवधि की बात लोगों ने कही है तथा किसी ने कहा है कि इस अवधि को 30 वर्ष किया जाना चाहिए और किसी ने 20 वर्ष के लिए कहा है। इसके पीछे सरकार की स्पष्ट धारणा है। पहले लीज की अवधि अधिकतम 30 वर्ष थी और पहला रीन्यूअल स्वाभाविक रूप से 20 वर्ष उसके लिए हो जाता था लेकिन कई बार पहले रिन्यूअल में भी राज्य सरकारें बहुत समय तक रहती थीं। स्वाभाविक रूप से पचास वर्ष पहले भी भावना थी। हमने कोई नयी बात नहीं कही। सैकेंड रीन्यूअल के मामले में आपत्ति हो सकती है लेकिन पहले रिन्यूअल के मामले में किसी को कोई आपत्ति नहीं थी। सुप्रीम कोर्ट और अन्य संस्थाओं ने भी किसी प्रकार की उस पर कोई टिप्पणी नहीं की। जो 30 वर्ष और 20 वर्ष के बीच में रीन्यूअल होता था और रिन्यूअल के लिए हितधारक को सरकार के चक्कर काटने पड़ते थे, हमने उस नवीनीकरण की प्रक्रिया को समाप्त कर दिया है। अब किसी भी प्रकार नवीनीकरण के लिए लोगों को चक्कर नहीं काटने पड़ेंगे। किसी प्रकार की बारगेनिंग नहीं हो सकेगी। आईबीएम ही अभी माइनिंग प्लांट करेगा लेकिन आज हम इक्कीसवीं सदी में जा रहे हैं, आप सबको ध्यान में होगा कि प्रधान मंत्री जन धन योजना में प्रधान मंत्री जी ने कहा था कि ज़ीरो बैलेंस पर एकाउंट खुलेगा। लेकिन उसके बावजूद भी 10,000 करोड़ रुपया देश की जनता ने जमा किया। इसलिए राज्य सरकार को, किसी छोटी संस्था को, किसी छोटे व्यक्ति को हमें गैर-जिम्मेदार नहीं मानना चाहिए। हम लोगों ने इसमें अधिकार राज्य सरकार को देने का मन बनाया है और हमने कहा है कि राज्य सरकार माइनिंग प्लान के लिए अपने नियम बना ले और अपनी योजना बना ले। केन्द्र सरकार से एप्रूव करा ले तथा केन्द्र सरकार से एप्रूव्ड जो योजना है, उसके अन्तर्गत वह माइनिंग शुरु कराए। हमारे पास एप्रूवल के लिए उसको नहीं आना पड़ेगा। इससे भ्रष्टाचार भी समाप्त होगा और इससे जो विलम्ब होता है, उसकी भी समाप्ति होगी। इस दृष्टि से हम लोगों ने यह कोशिश की है।

पहले मेजर मिनरल में केन्द्र सरकार के पास आना पड़ता था। राज्य सरकार 19-19 साल तक एक फाइल पर विचार करती थी। केन्द्र सरकार भी सालों लगा देती थी लेकिन फाइल का क्लियरेंस नहीं होता था। अब हमने तय कर दिया है कि ऑक्शन होगा और प्रॉपर एप्रूवल के लिए केन्द्र सरकार के पास नहीं आना पड़ेगा। राज्य सरकारें स्वयं इस बात के लिए सक्षम होंगी। ...(व्यवधान)

सभी लोगों ने इस बात की चिंता की है और मैं इस बात से सहमत हूं कि जहां खनिज है, वहां जंगल है। जहां खनिज और जंगल है, वहां हमारे जनजाति के बंधु निवास करते हैं। जनजाति के बंधुओं की चिंता आज तक कभी नहीं की गई। लेकिन इस संशोधन बिल के माध्यम से हमने डिस्ट्रिक्ट मिनरल फाउंडेशन बनाई है और यह मिनरल फाउंडेशन बनेगा। इसमें रॉयल्टी का पैसा जाएगा और यह एक बड़ी राशि होगी। यह राशि उस क्षेत्र में जो खनन से प्रभावित व्यक्ति या क्षेत्र है या पर्यावरण की सुरक्षा के लिए आवश्यक है, उसके लिए हम इस राशि का प्रावधान कर रहे हैं। मैं समझता हूं कि डीएनएफ का प्रावधान मोदी जी की सरकार जो गरीब और आदिवासियों के लिए है, यह प्रावधान उस भावना का प्रकटीकरण है।

अवैध माइनिंग का मामला आप सब लोगों के ध्यान में है। पिछले दिनों सुप्रीम कोर्ट को भी विवश होकर उस मामले में निर्णय देने पड़े। शाह कमीशन की भी रिपोर्ट आई, पूरा देश चिंतित हुआ। भ्रष्टाचार के मामले में भारत की बहुत बदनामी हुई। दुनिया भर की कार्रवाईयां हुई, तमाम सारी माइनिंग हुई, इसको भी हमारी सरकार ने गंभीरता से लिया है। जो अवैध माइनिंग के सिलसिले में दो वर्ष की सजा थी, उसको बढ़ाकर हमने पांच वर्ष किया है। और जो 25 हजार रुपये का जुर्माना था, उसे पांच लाख रुपये ही नहीं किया है, बल्कि पांच लाख रुपये प्रति हैक्टेअर के हिसाब से जुर्माना होगा और यह अपने आपमें एक बड़ी राशि होगी। इस प्रकार के प्रकरणों का शीघ्र निराकरण हो सके, इस दृष्टि से विशेष न्यायालय बनाये जाने के लिए भी हम लोगों ने प्रावधान किये हैं। राज्य सरकारें उनका गठन करेंगी, अवैध माइनिंग के मामले जल्दी से जल्दी निपटेंगे, लोगों को सजा होगी, जुर्माना होगा, अवैध माइनिंग पर रोक लगेगी और जो हमारे संसाधन हैं, उनका ठीक प्रकार से उपयोग सरकार के हित में होगा।

यहां यह बात भी कही गई है कि केन्द्र सरकार कुछ मामलों में संघीय ढांचे का सम्मान नहीं कर रही है। मैं आपके माध्यम से बताना चाहता हूं कि अगर इसी एक्ट में हम देखें तो प्रायर अप्रूवल हमने समाप्त किया है और यह अधिकार राज्य सरकारों को दिया है। पहले 24 माइनर मिनरल्स थे, उनकी संख्या बढ़ाकर हमने 55 कर दी है, यह अधिकार राज्यों को दिया गया है। डी.एन.एफ. का ढांचा कैसा होगा, उसके कृत्य कैसे होंगे, यह तय करने का अधिकार हमने राज्य सरकारों को दिया है। आई.बी.एम. का जो अधिकार केन्द्र सरकार का था, राज्य सरकार पर भरोसा करके मोदी सरकार वह अधिकार भी राज्य सरकार को देना चाहती है। लेकिन यह सच है कि केन्द्र सरकार ने कुछ मामलों में निर्देश देने की शक्तियां अपने पास रखी हैं। वे शक्तियां हमने हस्तक्षेप करने की नीयत से नहीं रखी हैं। हम एक प्रतिशत भी राज्य सरकार के किसी काम में हस्तक्षेप नहीं करना चाहते, लेकिन मैं आपके माध्यम से सदन को बताना चाहता हूं कि अगर कोई प्रकरण सालों तक नहीं निपटता है तो क्या समय सीमा निर्धारित नहीं होनी चाहिए, समय सीमा के भीतर निर्णय नहीं होना चाहिए, आज की परिस्थिति में विलम्ब समाप्त नहीं होना चाहिए? अगर समय सीमा निर्धारित करने का काम हम करेंगे तो इसमें कौन सा बुरा करेंगे।

उपाध्यक्ष महोदय, खनिज का क्षेत्र व्यापक है, सारे देश की निगाह उस पर रहती है। देश की अर्थव्यवस्था उस पर टिकी है। रोजगार का मामला उस पर टिका हुआ है तो ऐसी स्थिति में अगर वहां पर्यावरण का संतुलन बिगड़ रहा है, माइनिंग ठीक प्रकार से नहीं हो रही है तो ऐसी स्थिति में अगर कोई निर्देश देना है तो वह निर्देश दिया जायेगा। हम बहुत सारे अधिकार राज्य सरकारों को दे रहे हैं। लेकिन केन्द्र सरकार अपनी जवाबदारी से मुक्त नहीं होना चाहती। अगर हम यह एक्ट ला रहे हैं तो इस एक्ट का शत-प्रतिशत क्रियान्वयन हो, यह केन्द्र सरकार की जवाबदारी है और केन्द्र सरकार उस जवाबदारी का निर्वहन करने का पूरी तरह मन रखती है।

महोदय, बहुत सारी और भी बातें इसमें कही गई हैं, चूंकि आपका बार-बार निर्देश हो रहा है कि समय कम है, इसलिए मैं आपके माध्यम से पूरे सदन को...(व्यवधान) क्षेत्रफल बढ़ाने और घटाने की बात भी कही गई है, कुछ संशोधन भी इस दृष्टि से आए हैं। हम लोगों ने यह प्रावधान इसलिए रखा है कि कोई विशिष्ट खनिज या कोई विशिष्ट क्षेत्र ऐसा हो, जिसके लिए राज्य सरकार को ऐसा

लगता है कि इसके क्षेत्र को बार-बार बढ़ाने की आवश्यकता है तो इसलिए यह प्रावधान रखा है। अगर राज्य सरकार को, जो प्रावधान हैं, उसमें कम करके खंड बनाना है तो वह खंड कम करे, बनाये और ऑक्शन करे, उसके लिए राज्य सरकार पूरी तरह स्वतंत्र है। आर.पी.पी.एल. और एम.एल. के सीमलैस ट्रांजैक्शन की व्यवस्था हम लोगों ने इसलिए रखी है, क्योंकि सरकार किसी की भी हो, सरकार सरकार होती है। एक सरकार ने कानून के तहत काम किया तो हमारी सरकारों की निरंतरता और विश्वसनीयता रखने के लिए पुराने कानून और पुराने कमिटमैन्ट, जो सरकारों के रहे हैं, उनका सम्मान करना चाहिए। इस दृष्टि से इस विश्वसनीयता को बनाये रखने के लिए हम लोगों ने यह काम किया है। आर.पी. में हम लोगों ने कई लोगों को आर.पी. करने के लिए अधिकृत करने का फैसला किया है। अब अनेक लोग आर.पी. कर सकते हैं, लेकिन आर.पी. करने वालों को पी.एल. और एम.एल. का अधिकार नहीं होगा, यह हम लोगों ने व्यवस्था की है।

महोदय, मैं आपके माध्यम से सदन के सभी सदस्यों से अनुरोध करना चाहता हूं कि यह जो विधेयक है, यह विधेयक पारदर्शिता बढ़ाने वाला है। यह विधेयक खनन के कार्य को गति देने वाला है, यह विधेयक रोजगार के अवसरों को सृजित करने वाला है। यह विधेयक विवेकाधिकार को समाप्त करने वाला है, यह विधेयक देश की अर्थव्यवस्था को बढ़ाने में मदद करने वाला है, इसलिए इस विधेयक को पारित करने की कृपा करें।

HON. DEPUTY SPEAKER: Shri Premachandran. Please be very brief.

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, I will be very brief. Thank you, Deputy Speaker, Sir. I have gone through the entire debate in respect of my Resolution disapproving the Ordinance as well as the consideration of the Bill. We have heard the hon. Minister also. I would like to appreciate the hon. Minister for showing keen patience throughout the debate sitting in the House and giving a good reply to us.

The apprehension which I have made during my moving the motion is regarding the Ordinance route of legislation. I am not going to repeat it. I feel that most of the Members from this side and from the Treasury Benches also are in agreement about preventing the misuse of Article 123.

HON. DEPUTY SPEAKER: That has already been explained.

SHRI N.K. PREMACHANDRAN: That has already been explained. ...(*Interruptions*) Mahtab *ji* has even talked about repeal of Article 123 from the Constitution of India because this right or this privilege or this power is not vested in other foreign democratic countries. So it has come out; I am thankful for supporting that issue.

Regarding the controversial issues or the contentious issues, I would like to briefly make my points within two-three minutes. First is the lease period. The hon. Minister has just responded about enhancing the lease period from 30 years to 50 years. There is no justification in enhancing the lease period from 30 years to 50 years. Further, another very important fact to be noted is the period of lease granted before the date of commencement of this Act. The period of lease, before the date of commencement of this Act, for the captive mines will be up to 31st March, 2030. As far as other mines are concerned, it will be up to 31st March, 2020. Who will reap benefit out of these extensions? This statutory extension is being given to the companies. Even before the commencement of the Act, if the lease period is there, they are giving the benefit. It is not proper; it is not just. Undue benefit is being given to them. Even the example was cited during the course of discussion; some hon. Member was pointing out that in the State of Goa, from the date of commencement of promulgation of this Ordinance, 80 mining leases have been granted. We can see the interest behind it.

The second point is regarding the mining area-affected people, regarding the tribal community. That matter I have already cited. Regarding the environment assessment as well as the social impact assessment, it is highly required. ...(*Interruptions*)

Regarding District Mineral Foundation, my only point is that it has to be changed as 'Mining Area Welfare Foundation' so that the message will be very clear.

My next point is regarding cooperative federalism. Regarding cooperative federalism, the hon. Members from Odisha have also pointed out, the proposed amendments of Section 20 (a) and Section 20 is taking away the rights of the States. In one way you are giving rights to the States, in another way you are taking back rights from the States.

Pandit Jawaharlal Nehru once told, the public sector undertakings of our country are the temples of modern India. They should be protected.

The last clarification which I am seeking is, 26 per cent of the profit is to be shared with the local area benefit. As per 2011 Act, this Act is silent in respect of this 26 per cent of the profit. With these clarifications, I conclude. Thank you, Sir.

HON. DEPUTY SPEAKER: Shri Premachandran, are you withdrawing the Resolution?

SHRI N.K. PREMACHANDRAN: No, Sir.

HON. DEPUTY SPEAKER: The question is:

> "That this House disapproves of the Coal Mines (Special Provisions) Second Ordinance, 2014 (No. 7 of 2014) promulgated by the President on 26th December, 2014."

The motion was negatived.

HON. DEPUTY SPEAKER: The question is:

> "That the Bill further to amend the Mines and Minerals (Development and Regulation) Act, 1957, be taken into consideration."

The motion was adopted.

HON. DEPUTY SPEAKER: The House shall now take up clause by clause consideration of the Bill.

Clauses 2 and 3 67 of 1957,

1 of 156 and

18 of 2013

The question is:

"That Clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 4 Amendment of Section 4A

HON. DEPUTY SPEAKER: Mr. Mahtab, are you moving your amendment?

SHRI BHARTRUHARI MAHTAB (CUTTACK): I am moving my amendment.

I beg to move:

Page 2, *after* line 34, *insert â€"*

"Provided also that the applications made for avoiding the lapsing of lease and for revival of the lease, which are pending on the date of coming into force of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, may be disposed within a period of three months or six months, as the case may be, from the date of coming into force of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 and the applications that remain pending on the expiry of the stipulated period shall be deemed to have been refused." (9)

Amendment 9 deals with Clause 4. At the outset, let not the impression go that BJD is opposed to this Bill. We are not opposed to this Bill. We welcome the provisions for grant of mining leases by auction which was a longstanding demand of ours. Our Chief Minister Mr. Naveen Patnaik has been repeatedly saying that all mines should be auctioned. I would say that this is the point which we have put forth repeatedly before this Government. The credit goes to the hon. Supreme Court of India who actually directed the Government to go ahead with auctioning of the mines and our Government in Odisha was in favour of this. The Clause that I am referring to is Clause no. 4. I want an insertion.

The hon. Minister has just now mentioned, 'we have to have a limited time slot. This is the proviso which I want to insert in this Bill. That will strengthen this Bill to a great extent.

HON. DEPUTY SPEAKER: I shall now put Amendment No.9 moved by Shri Bhartruhari Mahtab to the vote of the House.

SHRI BHARTRUHARI MAHTAB : Sir, I want Division.

HON. DEPUTY SPEAKER: Let the Lobbies be clearedâ€"

Now, the Lobbies have been cleared. Already the procedure regarding AVR has been mentioned.

The question is:

"Provided also that the applications made for avoiding the lapsing of lease and for revival of the lease, which are pending on the date of coming into force of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, may be disposed within a period of three months or six months, as the case may be, from the date of coming into force of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 and the applications that remain pending on the expiry of the stipulated period shall be deemed to have been refused." (9)

The Lok Sabha divided:

DIVISION 1. AYES 14.27:Hrs.

Antony, Shri Anto

Anwar, Shri Tariq

Banerjee, Shri Abhishek

Banerjee, Shri Kalyan

Biju, Shri P. K.

@Chaudhary, Shri Santokh Singh

@Chaudhury, Shri Jitendra

Dastidar, Dr. Kakoli Ghosh

@Datta, Shri Sankar Prasad

@Dev, Kumari Sushmita

Faizal, Mohammed

@Gandhi, Shri Dharam Vira

George, Adv. Joice

Ghosh, Shrimati Arpita

Gogoi, Shri Gaurav

Hooda, Shri Deepender Singh

Jena, Shri Rabindra Kumar

Karunakaran, Shri P.

Khan, Shri Md. Badaruddoza

Kumar, Shri Santosh

Mahato, Dr. Mriganka

Mahtab, Shri Bhartruhari

Mandal, Dr. Tapas

Mani, Shri Jose K.

@Mann, Shri Bhagwant

@Meinya, Dr. Thokchom

Misra, Shri Pinaki

@Mukherjee, Shri Abhijit

Nagesh, Shri Godam

Naik, Prof. A.S.R.

Pala, Shri Vincent H.

Panda, Shri Baijayant Jay

Patasani, Shri Prasanna Kumar

Paul, Shri Tapas

Poddar, Shrimati Aparupa

Pradhan, Shri Nagendra Kumar

Premachandran, Shri N.K.

Rajesh, Shri M. B.

Reddy, Shri A.P. Jithender

Roy, Prof. Saugata

Roy, Shrimati Satabdi

Sahu, Shri Tamradhwaj

Salim, Shri Mohammad

Sampath, Dr. A.

Sanghamita, Dr. Mamtaz

Satpathy, Shri Tathagata

Swain, Shri Ladu Kishore

Tarai, Shrimati Rita

Teacher, Shrimati P.K. Shreemathi

Thomas, Prof. K.V.

Uddin, Shri Tasleem

NOES

Agrawal, Shri Rajendra

Ahir, Shri Hansraj Gangaram

Ahlawat, Shrimati Santosh

Ahluwalia, Shri S.S.

Ananthkumar, Shri

Angadi, Shri Suresh C.

Babu, Dr. Ravindra

Baheria, Shri Subhash Chandra

Bais, Shri Ramesh

Bala, Shrimati Anju

Balyan, Dr. Sanjeev

@Bansode, Adv. Sharadkumar Maruti

Barne, Shri Shrirang Appa

Bhabhor, Shri Jasvantsinh Sumanbhai

Bhagat, Shri Sudarshan

@Bhamre, Dr. Subhash Ramrao

Bharti, Sushri Uma

Bhatt, Shrimati Ranjanben

Bhuria, Shri Dileep Singh

@Bidhuri, Shri Ramesh

Birla, Shri Om

Bohra, Shri Ramcharan

Chakravarty, Shrimati Bijoya

Chandel, Kunwar Pushpendra Singh

Chaudhary, Shri C. R.

Chaudhary, Shri Haribhai

Chaudhary, Shri P.P.

Chaudhary, Shri Pankaj

Chaudhary, Shri Ram Tahal

Chauhan, Shri Devusinh

Chavan, Shri Harishchandra

Chavda, Shri Vinod Lakhmashi

Chhewang, Shri Thupstan

$Choubey, Shri Ashwini Kumar

Choudhary, Shri Babulal

Chudasama, Shri Rajeshbhai

@Deka, Shri Ramen

Devi, Shrimati Rama

Dhotre, Shri Sanjay

Dhurve, Shrimati Jyoti

Diwakar, Shri Rajesh Kumar

Dubey, Shri Nishikant

Dubey, Shri Satish Chandra

Dwivedi, Shri Harishchandra alias Harish

Gaddigoudar, Shri P.C.

Gaikwad, Dr. Sunil Baliram

Gaikwad, Prof. Ravindra Vishwanath

Galla, Shri Jayadev

Gandhi, Shri Dilipkumar Mansukhlal

@Gangwar, Shri Santosh Kumar

Giluwa, Shri Laxman

Girri, Shri Maheish

Gohain, Shri Rajen

Gupta, Shri Sudheer

Haribabu, Dr. Kambhampati

Hegde, Shri Anantkumar

Jaiswal, Dr. Sanjay

Jardosh, Shrimati Darshana Vikram

@Jat, Prof. Sanwar Lal

Jigajinagi, Shri Ramesh

Joshi, Shri Chandra Prakash

Joshi, Shri Pralhad

Jyoti, Sadhvi Niranjan

Kachhadia, Shri Naranbhai

Karandlaje, Kumari Shobha

Kashyap, Shri Virender

Kaswan, Shri Rahul

@Kataria, Shri Rattan Lal

Kateel, Shri Nalin Kumar

@Kaushik, Shri Ramesh Chander

Khanduri AVSM, Maj. Gen. (Retd.) B.C.

@Khuba, Shri Bhagwanth

@Kinjarapu, Shri Ram Mohan Naidu

Kishore, Shri Jugal

@Kishore, Shri Kaushal

Koli, Shri Bahadur Singh

Koshyari, Shri Bhagat Singh

Kumar, Dr. Virendra

Kumar, Kunwar Sarvesh

@Kumar, Shri Ashwini

Kumar, Shri Dharmendra

Kumar, Shri Shanta

@Kundariya, Shri Mohanbhai Kalyanjibhai

Lekhi, Shrimati Meenakashi

Maadam, Shrimati Poonamben

Mahato, Dr. Banshilal

Mahato, Shri Bidyut Baran

Malviya, Prof. Chintamani

Manjhi, Shri Hari

@Maurya, Shri Keshav Prasad

Meena, Shri Harish

Meghwal, Shri Arjun Ram

Mishra, Shri Anoop

Mishra, Shri Bhairon Prasad

Mishra, Shri Daddan

@Mohan, Shri M. Murli

Mohan, Shri P.C.

Munda, Shri Karia

Munde, Dr. Pritam Gopinath

@Nagar, Shri Rodmal

Naik, Shri Shripad Yesso

Narasimham, Shri Thota

Nath, Shri Chand

@Ninama, Shri Manshankar

Nishad, Shri Ajay

Nishad, Shri Ram Charitra

@Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Paatle, Shrimati Kamla

Pal, Shri Jagdambika

Pandey, Dr. Mahendra Nath

Pandey, Shri Hari Om

Pandey, Shri Rajesh

Pandey, Shri Ravindra Kumar

Paraste, Shri Dalpat Singh

Paswan, Shri Chhedi

Paswan, Shri Kamlesh

@Paswan, Shri Ram Chandra

Paswan, Shri Ramvilas

Patel, Dr. K. C.

Patel, Shri Devji M.

Patel, Shri Lalubhai Babubhai

Patel, Shri Natubhai Gomanbhai

Patel, Shri Prahlad Singh

Patel, Shri Subhash

Patel, Shrimati Anupriya

Patel, Shrimati Jayshreeben

Pathak, Shrimati Riti

@Patil, Shri Kapil Moreshwar

@Patole, Shri Nana

Phule, Sadhvi Savitri Bai

@Prasad, Dr. Bhagirath

Pratap, Shri Krishan

Radhakrishnan, Shri Pon

@Raj, Dr. Udit

Raj, Shrimati Krishna

Rajbhar, Shri Harinarayan

Rajoria, Dr. Manoj

Rajput, Shri Mukesh

Raju, Shri Ashok Gajapathi

Ram, Shri Janak

Ram, Shri Vishnu Dayal

Rao, Shri M. Venkateswara

@Rao (Avanthi), Shri Muthamsetti Srinivasa

Rathore, Shri Hariom Singh

Rathwa, Shri Ramsinh

Raut, Shri Vinayak Bhaurao

Rawat, Shrimati Priyanka Singh

Ray, Shri Bishnu Pada

@Ray, Shri Ravindra Kumar

Rudy, Shri Rajiv Pratap

Sahu, Shri Lakhan Lal

Sai, Shri Vishnu Dev

Sampla, Shri Vijay

Sanjar, Shri Alok

@Sarmah, Shri Ram Prasad

Sarswati, Shri Sumedhanand

Sawaikar, Adv. Narendra Keshav

Sawant, Shri Arvind

Shah, Shrimati Mala Rajyalakshmi

@Sharma, Dr. Mahesh

Sharma, Shri Ram Swaroop

Shekhawat, Shri Gajendra Singh

Shetty, Shri Gopal

Shinde, Dr. Shrikant Eknath

@Shirole, Shri Anil

Shyal, Dr. Bhartiben D.

Siddeshwara, Shri G. M.

Sigriwal, Shri Janardan Singh

Singh, Dr. Jitendra

Singh, Dr. Nepal

@Singh, Dr. Satya Pal

@Singh, Shri Bharat

Singh, Shri Bhola

Singh, Shri Brijbhushan Sharan

Singh, Shri Dushyant

Singh, Shri Ganesh

Singh, Shri Giriraj

Singh, Shri Hukum

Singh, Shri Nagendra

@Singh, Shri Pashupati Nath

Singh, Shri R. K.

Singh (Raju Bhaiya), Shri Rajveer

Singh, Shri Rakesh

@Singh, Shri Sunil Kumar

Singh, Shri Sushil Kumar

Singh, Shri Uday Pratap

Sinha, Shri Jayant

@Sinha, Shri Manoj

Solanki, Dr. Kirit P.

Somaiya, Dr. Kirit

Sonkar, Shri Vinod Kumar

@Sonowal, Shri Sarbananda

Supriyo, Shri Babul

@Tadas, Shri Ramdas C.

Tamta, Shri Ajay

Tasa, Shri Kamakhya Prasad

Teli, Shri Rameshwar

Teni, Shri Ajay Misra

Thakur, Shri Anurag Singh

Thakur, Shrimati Savitri

$Tomar, Shri Narendra Singh

Tripathi, Shri Sharad

Udasi, Shri Shivkumar

Vardhan, Dr. Harsh

Vasava, Shri Manshukhbhai Dhanjibhai

Vasava, Shri Parbhubhai Nagarbhai

@Verma, Dr. Anshul

Verma, Shri Bhanu Pratap Singh

Verma, Shri Parvesh Sahib Singh

Verma, Shrimati Rekha

Wanga, Shri Chintaman Navasha

Yadav, Shri Hukmdeo Narayan

@Yadav, Shri Laxmi Narayan

Yadav, Shri Ram Kripal

@Yediyurappa, Shri B.S.

ABSTAIN

Nil

HON. DEPUTY SPEAKER: Subject to correction*, the result of the Division is:

Ayes: 045

Noes: 176

The motion was negatived.

HON. DEPUTY SPEAKER: The question is:

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5 1 of 1956

HON. DEPUTY SPEAKER: Shri Md. Badaruddoza Khan, are you moving amendment No. 27?

SHRI MD. BADARUDDOZA KHAN (MURSHIDABAD): I beg to move:

"Page 3, for lines 8 to 11, *substituteâ€"*

"Provide that a mining lease may be granted upon the filing of a mining plan in accordance with a system established by the Central Government for preparation, certification and monitoring of such plan with the approval of the Indian Bureau of Mines on behalf of the Central Government."." (27)

HON. DEPUTY SPEAKER: I shall now put amendment No. 27 to Clause 5 moved by Shri Md. Badaruddoza Khan to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: Dr. A. Sampath, are your moving your amendment Nos. 39 and 40?

DR. A. SAMPATH (ATTINGAL): Hon. Deputy Speaker, Sir, I beg to move:

"Page 3, lines 9 and 10,â€"

for "State Government",

substitute ''Central Government''." (39)

"Page 3, line 11,â€"

for "with the approval of the Central Government",

substitute "with duly approved by Indian Bureau of Mines on

behalf of Central Government"." (40)

My amendments are regarding Clause 5. The existing provision in the Mines and Minerals (Development and Regulation) Act, 1957 under Section 5 2(b) says that there is a mining plan duly approved by the Central Government or by the State Government in respect of such category of mines as may be specified by the Central Government for the development of mineral deposits in the area concerned. ...(*Interruptions*)

HON. DEPUTY SPEAKER: Order, please.

DR. A. SAMPATH : Sir, if they are not hearing, what can I do?

HON. DEPUTY SPEAKER: You continue now.

Nothing will go on record except what Mr. Sampath speaks.

...(*Interruptions*)*

DR. A. SAMPATH : Nishikantji, my voice may be a bit feeble but do not think that the voice of the people is feeble...(*Interruptions*)

Sir, the proposed Amendment, which the Minister has moved, says that: "Provided that a mining lease may be granted upon the filing of a mining plan in accordance with the system established by the State Government for preparation, certification and monitoring of such plan with the approval of the Central Government."

I have given an amendment to this. This is the amendment, which I am moving, with your permission. It says: 'Provided that a mining lease may be granted upon the filing of a mining plan in accordance with the system established by the Central Governmentâ€¦' It is because they have a Constitutional obligation, which I have stated earlier. 'â€¦for preparation, certification and monitoring of such plan duly approved by the Indian Bureau of Mines on behalf of the Central Government.'

This is my amendment. I am moving my amendment.

HON. DEPUTY-SPEAKER: All right. You have moved two amendments.

I shall now put amendment Nos. 39 and 40 moved by Dr. A. Sampath to the vote of the House.

The amendments were put and negatived.

HON. DEPUTY-SPEAKER: The question is:

"That clause 5 stand part of the Bill.

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 Amendment of Section 6

HON. DEPUTY-SPEAKER: Shri . Mahtab, are you moving your amendment?

SHRI BHARTRUHARI MAHTAB: Sir, I am moving my amendment No. 10. I beg to move:

"Page 3, *after* line 19, *insert* â€"

"Provided further that the State Government may, in the interests of equitable allocation of mineral resources, decrease the area limits stipulated in this section to a lesser extent for such minerals as it may consider appropriate." " (10)

I want the power of limiting the area should vest with the State Government.

HON. DEPUTY-SPEAKER: I shall now put amendment No. 10 moved by Shri Bhartruhari Mahtab to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY-SPEAKER: The question is:

"That clause 6 stand part of the Bill.

The motion was adopted.

Clause 6 was added to the Bill.

Clause 7 Substitution of new section for section 8

HON. DEPUTY-SPEAKER: Prof. Saugata Roy, are you moving your amendments?

PROF. SAUGATA ROY (DUM DUM): Sir, I am moving my amendment Nos. 1 and 2. I beg to move:

"Page 3, line 24,â€"

for "thirty years"

substitute "twenty years"." (1)

"Page 3, *omit* lines 25 and 26." (2)

They relate to Clause 7 of the Bill. Clause 7 deals with minerals specified in Part A of the First Schedule. Now, Part A of the First Schedule deals with coal and lignite, which is not under this Ministry, but since this is Mines Act, coal is also covered.

I am not in favour of giving lifetime leases to people. Let it be 20 years. Let the Government see how they are lifting coal, how they are functioning.

Then, another auction be held.

HON. DEPUTY-SPEAKER: I shall now put amendment No. 1 and 2 moved by Prof. Saugata Roy to the vote of the House.

The amendments were put and negatived.

HON. DEPUTY-SPEAKER: Shri Mahtab, are you moving your amendment No. 11?

SHRI BHARTRUHARI MAHTAB : I am moving my amendment No. 11 in Clause 7. I beg to move:

"Page 3, *for* lines 27 to 28*, substitute* â€" 7

"(3) A mining lease may be renewed once for a period of twenty

years with the previous approval of the Central Government."" (11)

It is a substitute, which I want to insert in this.

HON. DEPUTY-SPEAKER: I shall now put amendment No. 11 moved by Shri Bhartruhari Mahtab to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: Shri N.K. Premachandran, are you moving your amendment No. 28.

SHRI N.K. PREMACHANDRAN : I am moving my amendment No. 28 in Clause 7. I beg to move:

"Page 3, line 24,â€"

for "thirty years"

substitute "twenty-five years"." (28)

HON. DEPUTY SPEAKER: I shall now put amendment No. 28 moved by Shri N. K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: The question is:

"That Clause 7 stand part of the Bill."

The motion was adopted.
Clause 7 was added to the Bill.

Clause 8 Insertion of new section 8A

HON. DEPUTY SPEAKER: Prof. Saugata Roy, are you moving your amendment Nos. 3, 4, 5 and 6.

PROF. SAUGATA ROY :Sir, I move amendment Nos. 3, 4, 5 and 6 to Clause 8. I beg to move:

"Page 3, line 34,â€"

for "fifty years"

substitute "thirty years"." (3)

"Page 3, line 37,â€"

for "fifty years"

substitute "thirty years"." (4)

"Page 3, *omit* lines 40 and 45." (5)

"Page 4, *omit* lines 1 and 2." (6)

This deals with the minerals not included in part A and B of the first Schedule. As I mentioned Part A deals with Coal and Lignite, Part B deals with Atomic minerals and Part C is the most important one because it deals with iron ore, bauxite, zinc ore, copper ore, precious stones and everything. Now, the proposal is being given that mining leases will be given for 50 years. That is almost giving it in perpetuity. So, this is very dangerous that somebody will get these precious minerals for fifty years. In this, I want to mention that the Minister without any auction is extending the lease of those captive mines. I mentioned earlier that the big companies both public and private sectors like SAIL, Vizag Steel, Essar, Jindal and all of them are holding leases. Without anything, it has been extended to the year 2030. Is it fair if they get lease for fifty years? So, I want this fifty years to be brought down to thirty years. That is why, I moved amendment Nos. 3, 4, 5 and 6.

HON. DEPUTY SPEAKER: I shall now put amendment Nos. 3, 4, 5 and 6 moved by Prof. Saugata Roy to the vote of the House.

The amendment were put and negatived.

HON. DEPUTY SPEAKER: Shri Mahtab, are you moving amendment nos. 12, 13, 14, 15, 16, 17, 18 and 19.

SHRI BHARTRUHARI MAHTAB : I beg to move:

"Page 3, line 34, *â€"*

for "fifty years"

substitute "thirty years which may be extended once for a period of twenty years subject to fulfillment of such terms and conditions as may be specified"." (12)

"Page 3, line 37, â€"

for "fifty years"

substitute "thirty years which may be extended once for a period of twenty years subject to fulfillment of such terms and conditions as may be specified"." (13)

"Page 3, lines 38 and 39, â€"

substitute "(4) One the expiry of the lease period, all mining leases, granted whether before or after the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, shall be put up of auction as per the procedure specified in this Act."" (14)

"Page 3, *for* line 43, â€"

substitute "exclusively for captive purpose, may be extended by the State Government up to a"." (15)

"Page 3, line 45, â€"

for "fifty"

substitute "thirty"." (16)

"Page 4, *for* line 6,â€"

substitute "for other than exclusively captive purpose, may be extended by the State Government"." (17)

"Page 4, line 9, â€”

for "fifty years"

substitute "thirty years"." (18)

"Page 4, line 11, â€”

for "captive purpose"

substitute "exclusively captive purpose"." (19)

Sir, the crux of the matter of this Bill is relating to Clause 8 which has actually pained us to a great extent. We expected that some corrective measures will be taken after hearing the debates in this House and also interacting with various other State Governments which has happened in between. I am very sorry to use this word and this is an allegation that this Clause 8 has been included in this Amendment clandestinely. The clandestine manner in which this Clause 8 has been inserted in the MMDR Act raises doubts and suspicion. This section was not in the draft Ordinance, that was circulated to respective State Governments and other stakeholders for consultation. At whose behest and for what reason it was brought into the Ordinance behind the back of State Governments who are actually the owners of the mineral resources and users, industries is anybody's guess.

I strongly demand that the largesse of extension of lease period should not be granted to the lessees who have already completed 50 years. In case a transitory provision is needed, I again request the Minister that a period of one year, which was what Mr. Satpathy had said during the debate, may be adequate for completing the auctions as has already been demonstrated in the case of coal block auctions. With respect to the amendments made in Section 8 and Section 8A(2), we are of the opinion that 50 years is too long a time for granting a mining lease. The market of most minerals, especially ores, particularly iron ore is a volatile market and it will not be practical for intending bidders to make offers in the competitive bidding based on market forecast for a long period of 50 years. Besides, as the Amendment Bill provides for a fixation of time limit for disposal of application, there is no basis for apprehension of delays in disposal of renewal of application in future, and thus there is no justification in taking away the renewal system for Part 'C' minerals.

Sir, we, therefore, strongly suggest that the tenure of leases should be limited to 30 years with provision of only one renewal for 20 years. There is no need for a second renewal. Clause 8A is a long clause and I have given a number of amendments to the respective Sections of that clause. 8A has not been circulated. I have mentioned this earlier. But 8A(3), 8A(5) and 8A(6) should be deleted from the legislation and the system of lease for 30 years with option of one renewal for 20 years should be restored. All existing leases should be put to auction on the expiry of lease first renewal period without extension. This will be in conformity with the various pronouncements of the hon. Supreme Court of India relating to allocation of natural resources through public auction. Provisions of 8A(5) and 8A(6) are in direct conflict to these judgements as these amount to extending the lease period beyond entitlement period as per the original terms of lease without public auction.

Sir, 8A(5) and 8A(6) provide for conditional deemed sanction which is self-contradictory. Any conditional extension is subject to State Government being satisfied about the fulfilment of eligibility conditions. I need not explain what those eligibility conditions are. But in Section 8A(5), the term is used for "captive purposes", and that is amenable to varying interpretation, particularly, as this term has not been defined in the MMDR Act. In order to avoid confusion and litigation, the additional benefit of 10 years, if at all granted, should only be applicable for leases granted exclusively for captive use of the mineral by the lessors.

Before I end, I would just mention here about the ceiling. Here I would mention that we strongly oppose the insertion of clause 8. It is against the interest not only of the State but also of the nation. This amounts to appropriating the power of the State, which is there in clause 8. I oppose with my fullest command this amendment....(*Interruptions*)

HON. DEPUTY SPEAKER: I shall now put Amendment Nos.12, 13, 14, 15, 16, 17, 18 and 19 moved by Shri B. Mahtab to the vote of the House.

SHRI BHARTRUHARI MAHTAB : Sir, I demand division on this.

HON. DEPUTY SPEAKER: The Lobbies have already been cleared.

I shall put Amendment Nos.12, 13, 14, 15, 16, 17, 18 and 19 moved by Shri Bhartruhari Mahtab to the vote of the House.

The question is:

"Page 3, line 34, --

for "fifty years"

substitute "thirty years which may be extended once for a period of twenty years subject to fulfillment of such terms and conditions as may be specified". (12)

Page 3, line 37, â€”

for "fifty years"

substitute "thirty years which may be extended once for a period of twenty years subject to fulfillment of such terms and conditions as may be specified". (13)

Page 3, lines 38 and 39,--

substitute "(4) One the expiry of the lease period, all mining leases, granted whether before or after the commencement of the Mines and Minerals (Development and Regulation) Amendment Act, 2015, shall be put up of auction as per the procedure specified in this Act." (14)

Page 3, *for* line 43, â€”

substitute "exclusively for captive purpose, may be extended by the State Government up to a". (15)

Page 3, line 45, â€”

for "fifty"

substitute "thirty" (16).

Page 4, *for* line 6,â€”

substitute "for other than exclusively captive purpose, may be extended by the State Government". (17).

Page 4, line 9, â€”

for "fifty years"

substitute "thirty years". (18)

Page 4, line 11, â€”

for "captive purpose"

substitute "exclusively captive purpose". (19)

The Lok Sabha divided:

DIVISION NO.2 AYES 14.45 Hrs.

-

Adhikari, Shri Suvendu

Antony, Shri Anto

Anwar, Shri Tariq

Banerjee, Shri Abhishek

Banerjee, Shri Kalyan

Biju, Shri P. K.

Chaudhary, Shri Santokh Singh

Chaudhury, Shri Jitendra

Dastidar, Dr. Kakoli Ghosh

Datta, Shri Sankar Prasad

De(Nag), Dr. Ratna

Dev, Kumari Sushmita

Faizal, Mohammed

Gandhi, Shri Dharam Vira

George, Adv. Joice

@Ghosh, Shrimati Arpita

Gogoi, Shri Gaurav

Hikaka, Shri Jhina

@Hooda, Shri Deepender Singh

Jena, Shri Rabindra Kumar

Karunakaran, Shri P.

Khan, Shri Md. Badaruddoza

Kharge, Shri Mallikarjun

@Kumar, Shri P.

Kumar, Shri Santosh

Mahato, Dr. Mriganka

@Mahtab, Shri Bhartruhari

@Mani, Shri Jose K.

@Mann, Shri Bhagwant

Meinya, Dr. Thokchom

Misra, Shri Pinaki

@Mohapatra, Dr. Sidhant

Mukherjee, Shri Abhijit

Nagesh, Shri Godam

@Naik, Prof. A.S.R.

Pala, Shri Vincent H.

@Panda, Shri Baijayant Jay

Patasani, Shri Prasanna Kumar

Patil, Shri Bheemrao B.

@Paul, Shri Tapas

Poddar, Shrimati Aparupa

@Pradhan, Shri Nagendra Kumar

@Premachandran, Shri N.K.

Rajesh, Shri M. B.

@Reddy, Shri A.P. Jithender

Reddy, Shri Konda Vishweshwar

@Roy, Prof. Saugata

@Roy, Shrimati Sandhya

Roy, Shrimati Satabdi

Sahu, Shri Tamradhwaj

@Salim, Shri Mohammad

Samal, Dr. Kulmani

Sampath, Dr. A.

Sanghamita, Dr. Mamtaz

@Saren, Dr. Uma

@Satpathy, Shri Tathagata

Singh, Prof. Sadhu

Singh, Shri Ravneet

Singh, Shrimati Pratyusha Rajeshwari

@Swain, Shri Ladu Kishore

Tarai, Shrimati Rita

@Teacher, Shrimati P.K. Shreemathi

@Thomas, Prof. K.V.

NOES

Agrawal, Shri Rajendra

Ahir, Shri Hansraj Gangaram

Ahlawat, Shrimati Santosh

Ahluwalia, Shri S.S.

Amarappa , Shri Karadi Sanganna

Ananthkumar, Shri

Angadi, Shri Suresh C.

@Babu, Dr. Ravindra

Baheria, Shri Subhash Chandra

@Bais, Shri Ramesh

Bala, Shrimati Anju

Bansode, Adv. Sharadkumar Maruti

Barne, Shri Shrirang Appa

Bhabhor, Shri Jasvantsinh Sumanbhai

Bhagat, Shri Sudarshan

Bhamre, Dr. Subhash Ramrao

@Bharti, Sushri Uma

Bhatt, Shrimati Ranjanben

Bhuria, Shri Dileep Singh

Bidhuri, Shri Ramesh

Birla, Shri Om

Bohra, Shri Ramcharan

@Chakravarty, Shrimati Bijoya

Chandel, Kunwar Pushpendra Singh

Chaudhary, Shri C. R.

Chaudhary, Shri Haribhai

@Chaudhary, Shri P.P.

Chaudhary, Shri Pankaj

@Chaudhary, Shri Ram Tahal

Chauhan, Shri Devusinh

Chavan, Shri Harishchandra

Chavda, Shri Vinod Lakhmashi

Choubey, Shri Ashwini Kumar

Choudhary, Shri Babulal

Chudasama, Shri Rajeshbhai

Deka, Shri Ramen

@Devi, Shrimati Rama

Dhotre, Shri Sanjay

Dhurve, Shrimati Jyoti

@Diwakar, Shri Rajesh Kumar

Dubey, Shri Nishikant

Dubey, Shri Satish Chandra

Dwivedi, Shri Harishchandra alias Harish

Gaddigoudar, Shri P.C.

@Gadkari, Shri Nitin

Gaikwad, Dr. Sunil Baliram

Gaikwad, Prof. Ravindra Vishwanath

Galla, Shri Jayadev

Gandhi, Shri Dilipkumar Mansukhlal

Gangwar, Shri Santosh Kumar

Giluwa, Shri Laxman

Girri, Shri Maheish

Gohain, Shri Rajen

Gupta, Shri Sudheer

Gurjar, Shri Krishanpal

Haribabu, Dr. Kambhampati

Hegde, Shri Anantkumar

Jaiswal, Dr. Sanjay

Jardosh, Shrimati Darshana Vikram

Jat, Prof. Sanwar Lal

Jigajinagi, Shri Ramesh

Joshi, Shri Chandra Prakash

Joshi, Shri Pralhad

Jyoti, Sadhvi Niranjan

Kachhadia, Shri Naranbhai

@Kaiser, Choudhary Mehboob Ali

Karandlaje, Kumari Shobha

Kashyap, Shri Virender

Kaswan, Shri Rahul

Kataria, Shri Rattan Lal

Kateel, Shri Nalin Kumar

Kaushik, Shri Ramesh Chander

Khanduri AVSM, Maj. Gen. (Retd.) B.C.

@Khuba, Shri Bhagwanth

@Kinjarapu, Shri Ram Mohan Naidu

Kishore, Shri Jugal

Kishore, Shri Kaushal

Koli, Shri Bahadur Singh

Koshyari, Shri Bhagat Singh

Kumar, Dr. Virendra

Kumar, Kunwar Sarvesh

@Kumar, Shri Ashwini

@Kumar, Shri Dharmendra

@Kumar, Shri Shanta

Kundariya, Shri Mohanbhai Kalyanjibhai

@Lekhi, Shrimati Meenakashi

Maadam, Shrimati Poonamben

Mahato, Dr. Banshilal

Mahato, Shri Bidyut Baran

Malviya, Prof. Chintamani

Manjhi, Shri Hari

Maurya, Shri Keshav Prasad

Meena, Shri Harish

Meghwal, Shri Arjun Ram

Mishra, Shri Anoop

Mishra, Shri Bhairon Prasad

Mishra, Shri Daddan

Mohan, Shri M. Murli

Mohan, Shri P.C.

Munda, Shri Karia

Munde, Dr. Pritam Gopinath

Nagar, Shri Rodmal

Naik, Shri Shripad Yesso

@Narasimham, Shri Thota

Nath, Shri Chand

Ninama, Shri Manshankar

Nishad, Shri Ajay

Nishad, Shri Ram Charitra

@Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Paatle, Shrimati Kamla

Pal, Shri Jagdambika

Pandey, Dr. Mahendra Nath

Pandey, Shri Hari Om

Pandey, Shri Rajesh

Pandey, Shri Ravindra Kumar

Paraste, Shri Dalpat Singh

Paswan, Shri Chhedi

Paswan, Shri Kamlesh

@Paswan, Shri Ram Chandra

Paswan, Shri Ramvilas

Patel, Dr. K. C.

Patel, Shri Devji M.

Patel, Shri Lalubhai Babubhai

Patel, Shri Natubhai Gomanbhai

Patel, Shri Prahlad Singh

Patel, Shri Subhash

Patel, Shrimati Anupriya

Patel, Shrimati Jayshreeben

Pathak, Shrimati Riti

Patil, Shri Kapil Moreshwar

$Patole, Shri Nana

Phule, Sadhvi Savitri Bai

Prasad, Dr. Bhagirath

Pratap, Shri Krishan

Radhakrishnan, Shri Pon

@Raj, Dr. Udit

Raj, Shrimati Krishna

Rajbhar, Shri Harinarayan

Rajoria, Dr. Manoj

Rajput, Shri Mukesh

Raju, Shri Ashok Gajapathi

Ram, Shri Janak

@Ram, Shri Vishnu Dayal

Rao, Shri M. Venkateswara

@Rao (Avanthi), Shri Muthamsetti Srinivasa

Rathore, Shri Hariom Singh

Rathwa, Shri Ramsinh

Raut, Shri Vinayak Bhaurao

@Rawat, Shrimati Priyanka Singh

Ray, Shri Bishnu Pada

Ray, Shri Ravindra Kumar

@Rudy, Shri Rajiv Pratap

Sahu, Shri Lakhan Lal

Sai, Shri Vishnu Dev

Sampla, Shri Vijay

Sanjar, Shri Alok

Sarmah, Shri Ram Prasad

Sarswati, Shri Sumedhanand

Sawaikar, Adv. Narendra Keshav

Sawant, Shri Arvind

Shah, Shrimati Mala Rajyalakshmi

@Sharma, Dr. Mahesh

Sharma, Shri Ram Swaroop

Shekhawat, Shri Gajendra Singh

Shetty, Shri Gopal

Shinde, Dr. Shrikant Eknath

@Shirole, Shri Anil

Shyal, Dr. Bhartiben D.

Siddeshwara, Shri G. M.

Sigriwal, Shri Janardan Singh

Singh, Dr. Jitendra

Singh, Dr. Nepal

Singh, Dr. Satya Pal

Singh, Shri Bharat

Singh, Shri Bhola

Singh, Shri Brijbhushan Sharan

Singh, Shri Dushyant

Singh, Shri Ganesh

Singh, Shri Giriraj

Singh, Shri Hukum

Singh, Shri Nagendra

Singh, Shri Pashupati Nath

Singh, Shri R. K.

Singh (Raju Bhaiya), Shri Rajveer

Singh, Shri Rakesh

@Singh, Shri Satyapal

Singh, Shri Sunil Kumar

Singh, Shri Sushil Kumar

Singh, Shri Uday Pratap

@Sinha, Shri Jayant

@Sinha, Shri Manoj

Solanki, Dr. Kirit P.

Somaiya, Dr. Kirit

Sonkar, Shri Vinod Kumar

Sonowal, Shri Sarbananda

Supriyo, Shri Babul

@Tadas, Shri Ramdas C.

Tamta, Shri Ajay

Tasa, Shri Kamakhya Prasad

Teli, Shri Rameshwar

@Teni, Shri Ajay Misra

Thakur, Shri Anurag Singh

@Thakur, Shrimati Savitri

Tomar, Shri Narendra Singh

Tripathi, Shri Sharad

Udasi, Shri Shivkumar

Vardhan, Dr. Harsh

Vasava, Shri Manshukhbhai Dhanjibhai

Vasava, Shri Parbhubhai Nagarbhai

@Venugopal, Dr. P.

@Verma, Dr. Anshul

Verma, Shri Bhanu Pratap Singh

Verma, Shri Parvesh Sahib Singh

Verma, Shrimati Rekha

Wanga, Shri Chintaman Navasha

Yadav, Shri Hukmdeo Narayan

@Yadav, Shri Laxmi Narayan

Yadav, Shri Ram Kripal

Yediyurappa, Shri B.S.

HON. DEPUTY-SPEAKER: Subject to correction*, the result of the division is:

Ayes: 43

Noes: 184

The motion was negatived.

SHRI N.K. PREMACHANDRAN (KOLLAM): Sir, I beg to move:

"Page 3, line 44, -

for "31st March, 2030"

substitute "31st March, 2020"." (31)

HON. DEPUTY-SPEAKER: I shall put Amendment No. 31 to clause 8 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: Now, Amendment Nos.41 and 42, Dr. A. Sampath.

DR. A. SAMPATH (ATTINGAL): I beg to move:

"Page 3, line 34,--
for "fifty years",
substitute "twenty-five years"." (41)

"Page 3, line 37,--

for "fifty years",

substitute "twenty-five years"." (42)

My amendment nos. are 41 and 42. Even we can hear the heartbeats of some of my colleagues in the Treasury Benches. I hope that in this regard they may be with us in the heart. ...(*Interruptions*) Meghwal ji, please do not get agitated with me. You are one of my best friends. ...(*Interruptions*) Sir, with your permission, I want to refer to Clause 8A Sub Section *(2).* This is one of the most important Clauses....(*Interruptions*) Anyway, we cannot be part and parcel of selling of this nation. Once the *Le Monde,* the French newspaper brought out a leading article "Thanks this world is not for sale". But, now this nation is for sale if this is being adopted.

Sir, on and from the date of commencement of the Mines and Minerals Development and Regulation (Amendment) Act 2015, all mining leases shall be granted for a period of 50 years. The word mentioned is 'shall be' and not 'may be'. My question is, maybe due to my ignorance, in any of the developing nations, do their Governments give their mines on lease for 50 years? ...(*Interruptions*) Anywhere? ...(*Interruptions*) Sir, Sub-Section *(3)* is giving retrospective effect to it. Sub-Section *(3)* says: "All mining leases granted before the commencement of this Act". ...(*Interruptions)* They shall also be for a period of 50 years....(*Interruptions*) .

All mining leases granted before the commencement of this Act shall also be for a period of 50 years. Mines have become money minting machines. That is why, I am moving my amendments. These are among the most important amendments.

HON. DEPUTY-SPEAKER: I shall now put Amendment Nos. 41 and 42 to clause 8 moved by Dr. A. Sampath to the vote of the House.

DR. A. SAMPATH: Sir, I request for a Division.

HON. DEPUTY-SPEAKER: Okay. The Lobbies have already been cleared.

The question is:

"Page 3, line 34,--
for "fifty years",
substitute "twenty-five years"." (41)

"Page 3, line 37,--

for "fifty years",
substitute "twenty-five years"." (42)

The Lok Sabha divided:

DIVISION NO 3 AYES 14.51 Hrs.

Adhikari, Shri Sisir Kumar

Antony, Shri Anto

@Anwar, Shri Tariq

@Banerjee, Shri Abhishek

@Banerjee, Shri Kalyan

Biju, Shri P. K.

Chaudhary, Shri Santokh Singh

Chaudhury, Shri Jitendra

@Dastidar, Dr. Kakoli Ghosh

Datta, Shri Sankar Prasad

@De(Nag), Dr. Ratna

Deo, Shri Arka Keshari

Dev, Kumari Sushmita

Faizal, Mohammed

Gandhi, Shri Dharam Vira

George, Adv. Joice

Ghosh, Shrimati Arpita

Gogoi, Shri Gaurav

Hikaka, Shri Jhina

@Hooda, Shri Deepender Singh

@Jayadevan, Shri C. N

Jena, Shri Rabindra Kumar

@Karunakaran, Shri P.

Khan, Shri Md. Badaruddoza

Kharge, Shri Mallikarjun

@Kumar, Shri Santosh

@Mahtab, Shri Bhartruhari

Mani, Shri Jose K.

@Mann, Shri Bhagwant

Meinya, Dr. Thokchom

Misra, Shri Pinaki

Mohapatra, Dr. Sidhant

Mukherjee, Shri Abhijit

Nagesh, Shri Godam

Naik, Prof. A.S.R.

Pala, Shri Vincent H.

Panda, Shri Baijayant Jay

Patasani, Shri Prasanna Kumar

@Patil, Shri Bheemrao B.

@Paul, Shri Tapas

@Poddar, Shrimati Aparupa

@Pradhan, Shri Nagendra Kumar

@Premachandran, Shri N.K.

Rajesh, Shri M. B.

Reddy, Shri A.P. Jithender

Reddy, Shri Konda Vishweshwar

@Roy, Prof. Saugata

@Roy, Shrimati Sandhya

@Roy, Shrimati Satabdi

@Sahu, Shri Tamradhwaj

Salim, Shri Mohammad

Samal, Dr. Kulmani

Sampath, Dr. A.

@Sanghamita, Dr. Mamtaz

Saren, Dr. Uma

Satpathy, Shri Tathagata

Singh, Dr. Prabhas Kumar

@Singh, Prof. Sadhu

Singh, Shri Ravneet

Singh, Shrimati Pratyusha Rajeshwari

Swain, Shri Ladu Kishore

Tarai, Shrimati Rita

Teacher, Shrimati P.K. Shreemathi

Thomas, Prof. K.V.

NOES

Agrawal, Shri Rajendra

Ahir, Shri Hansraj Gangaram

Ahlawat, Shrimati Santosh

Ahluwalia, Shri S.S.

@Amarappa , Shri Karadi Sanganna

Ananthkumar, Shri

Angadi, Shri Suresh C.

Babu, Dr. Ravindra

Baheria, Shri Subhash Chandra

Bais, Shri Ramesh

Bala, Shrimati Anju

Balyan, Dr. Sanjeev

Bansode, Adv. Sharadkumar Maruti

@Barne, Shri Shrirang Appa

Bhabhor, Shri Jasvantsinh Sumanbhai

Bhagat, Shri Sudarshan

Bhamre, Dr. Subhash Ramrao

@Bharti, Sushri Uma

@Bhatt, Shrimati Ranjanben

Bhuria, Shri Dileep Singh

@Bidhuri, Shri Ramesh

Birla, Shri Om

Bohra, Shri Ramcharan

Chakravarty, Shrimati Bijoya

Chandel, Kunwar Pushpendra Singh

Chaudhary, Shri C. R.

Chaudhary, Shri Haribhai

@Chaudhary, Shri P.P.

Chaudhary, Shri Pankaj

Chaudhary, Shri Ram Tahal

Chauhan, Shri Devusinh

Chavan, Shri Harishchandra

Chavda, Shri Vinod Lakhmashi

@Choubey, Shri Ashwini Kumar

@Choudhary, Shri Babulal

Chudasama, Shri Rajeshbhai

Deka, Shri Ramen

Devi, Shrimati Rama

Dhotre, Shri Sanjay

Dhurve, Shrimati Jyoti

Diwakar, Shri Rajesh Kumar

Dubey, Shri Nishikant

@Dubey, Shri Satish Chandra

Dwivedi, Shri Harishchandra alias Harish

Gaddigoudar, Shri P.C.

@Gadkari, Shri Nitin

Gaikwad, Dr. Sunil Baliram

@Gaikwad, Prof. Ravindra Vishwanath

@Galla, Shri Jayadev

Gandhi, Shri Dilipkumar Mansukhlal

Gangwar, Shri Santosh Kumar

@Giluwa, Shri Laxman

Girri, Shri Maheish

Gohain, Shri Rajen

Gupta, Shri Sudheer

Haribabu, Dr. Kambhampati

Hegde, Shri Anantkumar

Jaiswal, Dr. Sanjay

Jardosh, Shrimati Darshana Vikram

@Jat, Prof. Sanwar Lal

Jigajinagi, Shri Ramesh

Joshi, Shri Chandra Prakash

Joshi, Shri Pralhad

@Jyoti, Sadhvi Niranjan

Kachhadia, Shri Naranbhai

Karandlaje, Kumari Shobha

Kashyap, Shri Virender

Kaswan, Shri Rahul

Kataria, Shri Rattan Lal

Kateel, Shri Nalin Kumar

@Kaushik, Shri Ramesh Chander

Khanduri AVSM, Maj. Gen. (Retd.) B.C.

@Khuba, Shri Bhagwanth

@Kinjarapu, Shri Ram Mohan Naidu

Kishore, Shri Jugal

Kishore, Shri Kaushal

Koli, Shri Bahadur Singh

Koshyari, Shri Bhagat Singh

Kumar, Dr. Virendra

Kumar, Kunwar Sarvesh

@Kumar, Shri Ashwini

Kumar, Shri Dharmendra

Kumar, Shri P.

Kumar, Shri Shanta

@Kundariya, Shri Mohanbhai Kalyanjibhai

@Lekhi, Shrimati Meenakashi

@Maadam, Shrimati Poonamben

Mahato, Dr. Banshilal

Mahato, Shri Bidyut Baran

Malviya, Prof. Chintamani

@Manjhi, Shri Hari

Maurya, Shri Keshav Prasad

Meena, Shri Harish

Meghwal, Shri Arjun Ram

Mishra, Shri Anoop

Mishra, Shri Bhairon Prasad

Mishra, Shri Daddan

Mohan, Shri M. Murli

@Mohan, Shri P.C.

Munda, Shri Karia

Munde, Dr. Pritam Gopinath

Nagar, Shri Rodmal

Naik, Shri Shripad Yesso

Narasimham, Shri Thota

Nath, Shri Chand

Ninama, Shri Manshankar

Nishad, Shri Ajay

Nishad, Shri Ram Charitra

Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Paatle, Shrimati Kamla

Pal, Shri Jagdambika

Pandey, Dr. Mahendra Nath

Pandey, Shri Hari Om

Pandey, Shri Rajesh

Pandey, Shri Ravindra Kumar

Paraste, Shri Dalpat Singh

Paswan, Shri Chhedi

Paswan, Shri Kamlesh

Paswan, Shri Ram Chandra

@Paswan, Shri Ramvilas

Patel, Dr. K. C.

Patel, Shri Devji M.

Patel, Shri Lalubhai Babubhai

Patel, Shri Natubhai Gomanbhai

Patel, Shri Prahlad Singh

Patel, Shri Subhash

Patel, Shrimati Anupriya

Patel, Shrimati Jayshreeben

Pathak, Shrimati Riti

Patil, Shri Kapil Moreshwar

Patole, Shri Nana

Phule, Sadhvi Savitri Bai

Prasad, Dr. Bhagirath

Pratap, Shri Krishan

Radhakrishnan, Shri Pon

Raj, Dr. Udit

Raj, Shrimati Krishna

Rajbhar, Shri Harinarayan

Rajoria, Dr. Manoj

Rajput, Shri Mukesh

Raju, Shri Ashok Gajapathi

Ram, Shri Janak

Ram, Shri Vishnu Dayal

Rao, Shri M. Venkateswara

@Rao (Avanthi), Shri Muthamsetti Srinivasa

Rathore, Shri Hariom Singh

Rathwa, Shri Ramsinh

Raut, Shri Vinayak Bhaurao

Rawat, Shrimati Priyanka Singh

Ray, Shri Bishnu Pada

Ray, Shri Ravindra Kumar

Rudy, Shri Rajiv Pratap

Sahu, Shri Lakhan Lal

Sai, Shri Vishnu Dev

@Sampla, Shri Vijay

Sanjar, Shri Alok

Sarmah, Shri Ram Prasad

Sarswati, Shri Sumedhanand

Sawaikar, Adv. Narendra Keshav

Sawant, Shri Arvind

Shah, Shrimati Mala Rajyalakshmi

Sharma, Dr. Mahesh

@Sharma, Shri Ram Swaroop

Shekhawat, Shri Gajendra Singh

Shetty, Shri Gopal

Shinde, Dr. Shrikant Eknath

Shirole, Shri Anil

Shyal, Dr. Bhartiben D.

Siddeshwara, Shri G. M.

Sigriwal, Shri Janardan Singh

Singh, Dr. Jitendra

@Singh, Dr. Nepal

@Singh, Dr. Satya Pal

@Singh, Shri Bharat

Singh, Shri Bhola

Singh, Shri Brijbhushan Sharan

Singh, Shri Dushyant

Singh, Shri Ganesh

Singh, Shri Giriraj

Singh, Shri Hukum

Singh, Shri Nagendra

Singh, Shri Pashupati Nath

Singh, Shri R. K.

Singh (Raju Bhaiya), Shri Rajveer

Singh, Shri Rakesh

Singh, Shri Satyapal

Singh, Shri Sunil Kumar

Singh, Shri Sushil Kumar

Singh, Shri Uday Pratap

Sinha, Shri Jayant

Sinha, Shri Manoj

Solanki, Dr. Kirit P.

Somaiya, Dr. Kirit

Sonkar, Shri Vinod Kumar

@Sonowal, Shri Sarbananda

@Supriyo, Shri Babul

Tadas, Shri Ramdas C.

@Tamta, Shri Ajay

@Tasa, Shri Kamakhya Prasad

Teli, Shri Rameshwar

Teni, Shri Ajay Misra

Thakur, Shri Anurag Singh

Thakur, Shrimati Savitri

Tripathi, Shri Sharad

Udasi, Shri Shivkumar

Vardhan, Dr. Harsh

Vasava, Shri Manshukhbhai Dhanjibhai

Vasava, Shri Parbhubhai Nagarbhai

Venugopal, Dr. P.

Verma, Dr. Anshul

@Verma, Shri Bhanu Pratap Singh

@Verma, Shri Parvesh Sahib Singh

Verma, Shrimati Rekha

Wanga, Shri Chintaman Navasha

Yadav, Shri Hukmdeo Narayan

@Yadav, Shri Laxmi Narayan

@Yadav, Shri Ram Kripal

Yediyurappa, Shri B.S.

ABSTAIN

Nil

HON. DEPUTY-SPEAKER: Subject to correction*, the result of the division is:

Ayes: 42

Noes: 180

The motion was negatived.

HON. DEPUTY-SPEAKER: There are Amendment Nos. 45, 46 and 47 to clause 8 to be moved by Shri Tathagata Satpathy. Are you moving your amendments?

SHRI TATHAGATA SATPATHY (DHENKANAL): Sir, I wish to move my amendments. I would like to club Amendment Nos. 45 and 46.

HON. DEPUTY-SPEAKER: There is Amendment No. 47 also.

SHRI TATHAGATA SATPATHY : Sir, actually Amendment No. 47 is of a different character, but anyhow, with due respect and regards to the Chair and to you specifically, I also move Amendment No. 47.

Sir, I beg to move:

> Page 3, line 44,--
>
> f*or* "31st March, 2030"
> *substitute* "31st March, 2016". (45)
>
> Page 4, line 7,--
>
> f*or* "31st March, 2020"
> *substitute* "31st March, 2016". (46)
>
> Page 4, line16,--
>
> *for* "Central Government"
> *substitute* "State Government". (47)

Sir, I will be asking for a division, but I, with folded hands to the Chair and to this enlightened House, would like to beseech upon every single enlightened individual Member present in this House that the nation is watching us, time is watching us ...(*Interruptions*) No, I am not quoting any television personality. The country is watching us. The people are enlightened. The youth of this country is seeing what kind of Bills and laws we are enacting.

You are not acknowledging the existence of *advasis*. You are not acknowledging the existence of communities of hundreds and thousands. ...(*Interruptions*)

HON. DEPUTY SPEAKER: You please address the Chair.

SHRI TATHAGATA SATPATHY : You are not acknowledging the existence of *adivasis* and other poor and deprived communities where hundreds and thousands of people are living on the land meant for mining.

Sir, this is very serious. This is close to my heart. Sir, you heard me out yesterday. I leave it to every single enlightened individual present in this House which way to vote. I beseech and request with folded hands that it is not a question of political parties, it is not a question of what we want; it is a question of what our heart wants. Do we want to be with the people? Are we giving away the nation's money, the nation's ores worth millions of dollars to certain individuals, to certain families?

Sir, in the next 20 or 50 years, ...(*Interruptions*)

HON. DEPUTY SPEAKER: You have already spoken very well. We heard you.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Sir, let him move the amendments. ...(*Interruptions*)

HON. DEPUTY SPEAKER: He has already moved his amendments.

SHRI TATHAGATA SATPATHY : Sir, why are they disturbing? What is this? We allowed them to speak.

Sir, I am grateful to you. Before this minimum of 20 years and maximum of 50 years, there can be a world war, and there can be local wars. The value of ore will be unimaginable to all the hon. Members present here today. I would, once again, request everybody to vote from their heart, from their conscience. If they actually say: "*Bharat Mata ki jai*, this is an opportunity to prove it that they love this country." ...(*Interruptions*)

HON. DEPUTY SPEAKER: I shall now put amendment Nos. 45, 46 and 47 to clause 8 moved by Shri Tathagata Satpathy to the vote of the House.

SHRI TATHAGATA SATPATHY : Sir, I want Division.

HON. DEPUTY SPEAKER: Already the Lobbies have been cleared. The question is:

"Page 3, line 44,--

f*or* "31st March, 2030"
substitute "31st March, 2016"." (45)

"Page 4, line 7,--

f*or* "31st March, 2020"
substitute "31st March, 2016"." (46)

"Page 4, line16,--

for "Central Government"
substitute "State Government"." (47)

The Lok Sabha divided:

DIVISION NO. 4 AYES 14.56 Hrs.

Adhikari, Shri Sisir Kumar

Anwar, Shri Tariq

Banerjee, Shri Abhishek

Banerjee, Shri Kalyan

@Barman, Shri Bijoy Chandra

Biju, Shri P. K.

Chaudhary, Shri Santokh Singh

Chaudhury, Shri Jitendra

@Dastidar, Dr. Kakoli Ghosh

Datta, Shri Sankar Prasad

@De(Nag), Dr. Ratna

Deo, Shri Arka Keshari

Dev, Kumari Sushmita

Faizal, Mohammed

@Gandhi, Shri Dharam Vira

George, Adv. Joice

Ghosh, Shrimati Arpita

Gogoi, Shri Gaurav

Hikaka, Shri Jhina

Hooda, Shri Deepender Singh

Jena, Shri Rabindra Kumar

Karunakaran, Shri P.

Khan, Shri Md. Badaruddoza

Kharge, Shri Mallikarjun

@Kumar, Shri Santosh

Mahato, Dr. Mriganka

Mahtab, Shri Bhartruhari

Mandal, Dr. Tapas

Mani, Shri Jose K.

Mann, Shri Bhagwant

Meinya, Dr. Thokchom

Misra, Shri Pinaki

Mohapatra, Dr. Sidhant

@Mukherjee, Shri Abhijit

Nagesh, Shri Godam

Naik, Prof. A.S.R.

Pala, Shri Vincent H.

Panda, Shri Baijayant Jay

Patasani, Shri Prasanna Kumar

@Patil, Shri Bheemrao B.

Paul, Shri Tapas

@Poddar, Shrimati Aparupa

Pradhan, Shri Nagendra Kumar

@Premachandran, Shri N.K.

Rajesh, Shri M. B.

@Reddy, Shri A.P. Jithender

Reddy, Shri Konda Vishweshwar

Roy, Prof. Saugata

Roy, Shrimati Sandhya

@Roy, Shrimati Satabdi

Sahu, Shri Tamradhwaj

Salim, Shri Mohammad

Samal, Dr. Kulmani

Sampath, Dr. A.

Sanghamita, Dr. Mamtaz

Saren, Dr. Uma

@Satpathy, Shri Tathagata

Singh, Prof. Sadhu

Singh, Shri Ravneet

Singh, Shrimati Pratyusha Rajeshwari

Swain, Shri Ladu Kishore

Tarai, Shrimati Rita

Teacher, Shrimati P.K. Shreemathi

@Thomas, Prof. K.V.

NOES

Agrawal, Shri Rajendra

Ahir, Shri Hansraj Gangaram

Ahlawat, Shrimati Santosh

Ahluwalia, Shri S.S.

Amarappa , Shri Karadi Sanganna

Ananthkumar, Shri

Angadi, Shri Suresh C.

Babu, Dr. Ravindra

Baheria, Shri Subhash Chandra

Bais, Shri Ramesh

Bala, Shrimati Anju

Balyan, Dr. Sanjeev

Bansode, Adv. Sharadkumar Maruti

Barne, Shri Shrirang Appa

Bhabhor, Shri Jasvantsinh Sumanbhai

Bhagat, Shri Sudarshan

Bhamre, Dr. Subhash Ramrao

@Bharathi Mohan, Shri R.K.

@Bharti, Sushri Uma

Bhatt, Shrimati Ranjanben

@Bhuria, Shri Dileep Singh

Bidhuri, Shri Ramesh

Birla, Shri Om

Bohra, Shri Ramcharan

Chakravarty, Shrimati Bijoya

Chandel, Kunwar Pushpendra Singh

Chaudhary, Shri C. R.

Chaudhary, Shri Haribhai

Chaudhary, Shri P.P.

Chaudhary, Shri Pankaj

Chaudhary, Shri Ram Tahal

@Chauhan, Shri Devusinh

Chavan, Shri Harishchandra

Chavda, Shri Vinod Lakhmashi

@Chinnaiyan, Shri S. Selvakumara

Choubey, Shri Ashwini Kumar

Choudhary, Shri Babulal

Chudasama, Shri Rajeshbhai

Deka, Shri Ramen

Devi, Shrimati Rama

Dhotre, Shri Sanjay

Dhurve, Shrimati Jyoti

Diwakar, Shri Rajesh Kumar

Dubey, Shri Nishikant

Dubey, Shri Satish Chandra

Dwivedi, Shri Harishchandra alias Harish

Gaddigoudar, Shri P.C.

@Gadkari, Shri Nitin

Gaikwad, Dr. Sunil Baliram

Gaikwad, Prof. Ravindra Vishwanath

Galla, Shri Jayadev

Gandhi, Shri Dilipkumar Mansukhlal

Gangwar, Shri Santosh Kumar

Giluwa, Shri Laxman

Girri, Shri Maheish

Gohain, Shri Rajen

@Gopal, Dr. K.

@Gopalakrishnan, Shri R.

Gupta, Shri Sudheer

@Haribabu, Dr. Kambhampati

Hegde, Shri Anantkumar

Jaiswal, Dr. Sanjay

Jardosh, Shrimati Darshana Vikram

@Jat, Prof. Sanwar Lal

Jigajinagi, Shri Ramesh

Joshi, Shri Chandra Prakash

@Joshi, Shri Pralhad

Jyoti, Sadhvi Niranjan

Kachhadia, Shri Naranbhai

Karandlaje, Kumari Shobha

Kashyap, Shri Virender

Kaswan, Shri Rahul

Kataria, Shri Rattan Lal

Kateel, Shri Nalin Kumar

Kaushik, Shri Ramesh Chander

Khanduri AVSM, Maj. Gen. (Retd.) B.C.

Khuba, Shri Bhagwanth

Kinjarapu, Shri Ram Mohan Naidu

@Kishore, Shri Jugal

Kishore, Shri Kaushal

Koli, Shri Bahadur Singh

Koshyari, Shri Bhagat Singh

Kumar, Dr. Virendra

Kumar, Kunwar Sarvesh

Kumar, Shri Ashwini

@Kumar, Shri Dharmendra

@Kumar, Shri K. Ashok

Kumar, Shri Shanta

@Kundariya, Shri Mohanbhai Kalyanjibhai

@Lekhi, Shrimati Meenakashi

Maadam, Shrimati Poonamben

Mahato, Dr. Banshilal

Mahato, Shri Bidyut Baran

Malviya, Prof. Chintamani

@Manjhi, Shri Hari

@Maragatham, Shrimati K.

@Marutharajaa, Shri R. P.

Maurya, Shri Keshav Prasad

Meena, Shri Harish

Meghwal, Shri Arjun Ram

Mishra, Shri Anoop

Mishra, Shri Bhairon Prasad

@Mishra, Shri Daddan

Mohan, Shri P.C.

Munda, Shri Karia

Munde, Dr. Pritam Gopinath

Nagar, Shri Rodmal

@Nagarajan, Shri P.

Naik, Shri Shripad Yesso

Narasimham, Shri Thota

Nath, Shri Chand

Ninama, Shri Manshankar

Nishad, Shri Ajay

@Nishad, Shri Ram Charitra

@Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

@Paatle, Shrimati Kamla

Pal, Shri Jagdambika

Pandey, Dr. Mahendra Nath

Pandey, Shri Hari Om

Pandey, Shri Rajesh

Pandey, Shri Ravindra Kumar

Paraste, Shri Dalpat Singh

@Parasuraman, Shri K.

@Parthipan, Shri R.

Paswan, Shri Chhedi

Paswan, Shri Kamlesh

Paswan, Shri Ram Chandra

Paswan, Shri Ramvilas

Patel, Dr. K. C.

Patel, Shri Devji M.

Patel, Shri Lalubhai Babubhai

Patel, Shri Natubhai Gomanbhai

Patel, Shri Prahlad Singh

Patel, Shri Subhash

Patel, Shrimati Anupriya

Patel, Shrimati Jayshreeben

Pathak, Shrimati Riti

Patil, Shri Kapil Moreshwar

Patole, Shri Nana

Phule, Sadhvi Savitri Bai

Prabakaran, Shri K. R. P.

@Prasad, Dr. Bhagirath

Pratap, Shri Krishan

Radhakrishnan, Shri Pon

@Radhakrishnan, Shri T.

@Raj, Dr. Udit

@Raj, Shrimati Krishna

Rajbhar, Shri Harinarayan

Rajoria, Dr. Manoj

Rajput, Shri Mukesh

Raju, Shri Ashok Gajapathi

Ram, Shri Janak

Ram, Shri Vishnu Dayal

@Ramachandran, Shri K. N.

Rao, Shri M. Venkateswara

Rao (Avanthi), Shri Muthamsetti Srinivasa

Rathore, Shri Hariom Singh

Rathwa, Shri Ramsinh

Raut, Shri Vinayak Bhaurao

Rawat, Shrimati Priyanka Singh

Ray, Shri Bishnu Pada

Ray, Shri Ravindra Kumar

@Rudy, Shri Rajiv Pratap

Sahu, Shri Lakhan Lal

Sai, Shri Vishnu Dev

Sampla, Shri Vijay

Sanjar, Shri Alok

@Sarmah, Shri Ram Prasad

Sarswati, Shri Sumedhanand

Sawaikar, Adv. Narendra Keshav

Sawant, Shri Arvind

@Senguttuvan, Shri B.

@Shah, Shrimati Mala Rajyalakshmi

Sharma, Dr. Mahesh

Sharma, Shri Ram Swaroop

Shekhawat, Shri Gajendra Singh

Shetty, Shri Gopal

Shirole, Shri Anil

Shyal, Dr. Bhartiben D.

Siddeshwara, Shri G. M.

Sigriwal, Shri Janardan Singh

Singh, Dr. Bhola

Singh, Dr. Jitendra

Singh, Dr. Nepal

Singh, Dr. Satya Pal

Singh, Shri Bharat

@Singh, Shri Brijbhushan Sharan

Singh, Shri Dushyant

Singh, Shri Ganesh

Singh, Shri Giriraj

Singh, Shri Hukum

Singh, Shri Nagendra

Singh, Shri Pashupati Nath

Singh, Shri R. K.

Singh (Raju Bhaiya), Shri Rajveer

Singh, Shri Rakesh

Singh, Shri Satyapal

Singh, Shri Sunil Kumar

Singh, Shri Sushil Kumar

Singh, Shri Uday Pratap

Sinha, Shri Jayant

Sinha, Shri Manoj

Solanki, Dr. Kirit P.

Somaiya, Dr. Kirit

Sonkar, Shri Vinod Kumar

Sonowal, Shri Sarbananda

@Sundaram, Shri P. R.

Supriyo, Shri Babul

Tadas, Shri Ramdas C.

Tamta, Shri Ajay

Tasa, Shri Kamakhya Prasad

Teli, Shri Rameshwar

Teni, Shri Ajay Misra

Thakur, Shri Anurag Singh

@Thakur, Shrimati Savitri

Tomar, Shri Narendra Singh

Tripathi, Shri Sharad

Udasi, Shri Shivkumar

@Vanaroja, Shrimati R.

Vardhan, Dr. Harsh

Vasava, Shri Manshukhbhai Dhanjibhai

Vasava, Shri Parbhubhai Nagarbhai

@Venugopal, Dr. P.

Verma, Dr. Anshul

Verma, Shri Bhanu Pratap Singh

Verma, Shri Parvesh Sahib Singh

Verma, Shrimati Rekha

Wanga, Shri Chintaman Navasha

Yadav, Shri Hukmdeo Narayan

Yadav, Shri Laxmi Narayan

Yadav, Shri Ram Kripal

Yediyurappa, Shri B.S.

ABSTAIN

Nil

HON. DEPUTY SPEAKER: Subject to correction*, the result of the Division is:

Ayes: 051

Noes: 193

The motion was negatived.

HON. DEPUTY SPEAKER: The question is:

"That clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Clause 9 Insertion of new sections 9B& 9c

HON. DEPUTY SPEAKER: Shri Mahtab, are you moving amendment No. 20?

SHRI BHARTRUHARI MAHTAB : I beg to move:

"Page 4, lines 34 and 35, â€”

for "one-third"

substitute "the amount". (20)

Where for one-third, the total amount that will be collected should be deposited in that. That is my amendment.

HON. DEPUTY SPEAKER: I shall now put amendment No. 20 to Clause 9 moved by Shri Bhartruhari Mahtab to the vote of the House.

15.00 hrs.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: Shri N.K. Premachandran, are you moving amendment nos. 33, 34, 35, 36 and 37?

SHRI N.K. PREMACHANDRAN : I beg to move:

"Page 4, line 25,â€”

for "District Mineral Foundation"

substitute "Mining Area Welfare Foundation"." (33)

"Page 4, line 26,â€”

for "District Mineral Foundation"

substitute "Mining Area Welfare Foundation"." (34)

"Page 4, line 29,â€”

for "District Mineral Foundation"

substitute "Mining Area Welfare Foundation". (35)

"Page 4, line 32,â€”

for "District Mineral Foundation"

substitute "Mining Area Welfare Foundation"." (36)

"Page 4, lines 34 and 35,â€”

for "one-third of"

substitute "one-half of"." (37)

Sir, I have moved my amendment Nos. 33, 34, 35, 36 and 37. I appeal to the hon. Minister and the Government that my amendment nos. 33 to 36 are harmless and simple. ...(*Interruptions*) Why are you so intolerant? This is a legislative process. ...(*Interruptions*)

Sir, my point is that District Mineral Foundation should be substituted as "Mining Area Welfare Foundation". If it is not changed to Mining Area Welfare Foundation, definitely there is a chance of misusing this Foundation because in the Foundation, the scope and ambit are very high. As far as the project affected people of the area, where the mining is being done, is concerned, even now we are having the Mining Area Welfare Board. My humble submission to the hon. Minister is that District Mineral Foundation be changed as "Mining Area Welfare Foundation".

There is no harm in changing it. So, these are my amendments.

HON. DEPUTY SPEAKER: I shall now put amendment Nos. 33, 34, 35, 36 and 37 to Clause 9 moved by Shri N.K. Premachandran to the vote of the House.

The amendments were put and negatived.

HON. DEPUTY-SPEAKER: Shri Tathagata Satpathy, are you moving your amendment Nos. 48,49,50,51,52,53,54 and 55?

SHRI TATHAGATA SATPATHY: Sir, I would only speak for amendment No. 49.

HON. DEPUTY-SPEAKER: Are you moving all your amendments or do you want to move only a particular amendment?

SHRI TATHAGATA SATPATHY : Sir, I am moving all together making life easier for everybody. The desire to give away nation's wealth to the corporate is so pressing that they have no time to waste for the legislations...(*Interruptions*)

I beg to move:

"Page 4, line 28,â€”

after ''State Government''

insert ''and the Central Government''." (48)

"Page 4, *after* line 30, *insert*â€”

"Provided that the District Mineral Foundation shall consist of the

local Member of Parliament (Lok Sabha) who shall be its Chairman,

all connected Members of Legislative Assembly as vice-Chairmen,

district collector as convener-secretary, and representatives of all

affected people, which shall include Scheduled Castes/Scheduled

Tribes, women and senior citizens, representatives from local business

community and elected members of panchayat as members."." (49)

"Page 4, *after* line 35, *insert*â€"

"(5) The District Mineral Foundation shall be empowered to stop

mining activities if a majority of members recommend that the concerned holder of a mining lease or a prospecting licence-cum-mining

lease is not adhering to the regulations in regard to

resettlement, rehabilitation, pollution, employment and related norms

and guidelines.

(6) The District Mineral Foundation shall have the authority to

enforce financial audit of the mining company, as well as, conduct

physical verification of the mining area and mining practices."." (50)

"Page 4, line 36,â€"

for ''Central Government''

substitute ''State Government''." (51)

"Page 4, line 37,â€"

for ''National Mineral Exploration Trust''

substitute ''State Mineral Exploration Trust''." (52)

"Page 4, line 40,â€"

for ''Central Government''

substitute ''State Government''." (53)

"Page 4, line 42,â€"

for ''Central Government''

substitute ''State Government''." (54)

"Page 4, line 45,â€"

for ''Central Government''

substitute ''State Government''." (55)

SHRI TATHAGATA SATPATHY: Sir, the people have decided; *Janata Janardan* have decided to give the country to them...(*Interruptions*) Relax...(*Interruptions*)

HON. DEPUTY SPEAKER: Nothing will go on record except what Shri Satpathy says.

...(*Interruptions*)â€¦ *

HON. DEPUTY-SPEKAER: Mr. Satpathy, you address the Chair

...(*Interruptions*)

SHRI TATHAGATA SATPATHY :They made the mistake and now you are repeating the mistake.

HON. DEPUTY-SPEKAER: Nothing will go on record.

...(*Interruptions*)â€¦ *

SHRI TATHAGATA SATPATHY : There is only one thing I am saying about amendment No. 49. I will beseech upon this House and the hon. Minster that let the District Mineral Foundation have people's representatives starting from the MP and going down to the MLA, to the Panchayat so that people get an actual voice in the process of mining and the power to penalize a miner, who exceeds his area of mining, who destroys the jungle, who destroys the environment, does not care for resettlement or rehabilitation and is only keen on making thousands of crores every year. Please put a bridle on him and allow this.

HON. DEPUTY-SPEAKER: I shall now put amendment Nos. 48,49,50,51,52,53,54 and 55 to the vote o the House.

SHRI TATHAGATA SATPATHY : I want Division.

HON. DEPUTY-SPEAKER: The lobbies have already been cleared.

The question is:

"Page 4, line 28,â€”

after ''State Government''

insert ''and the Central Government''." (48)

"Page 4, *after* line 30, *insert*â€"

"Provided that the District Mineral Foundation shall consist of the local Member of Parliament (Lok Sabha) who shall be its Chairman, all connected Members of Legislative Assembly as vice-Chairmen, district collector as convener-secretary, and representatives of all affected people, which shall include Scheduled Castes/Scheduled Tribes, women and senior citizens, representatives from local business community and elected members of panchayat as members."" (49)

"Page 4, *after* line 35, *insert*â€"

"(5) The District Mineral Foundation shall be empowered to stop mining activities if a majority of members recommend that the concerned holder of a mining lease or a prospecting licence-cum-mining lease is not adhering to the regulations in regard to resettlement, rehabilitation, pollution, employment and related norms and guidelines.

(6) The District Mineral Foundation shall have the authority to enforce financial audit of the mining company, as well as, conduct physical verification of the mining area and mining practices."." (50)

"Page 4, line 36,â€”

for ''Central Government''

substitute ''State Government''." (51)

"Page 4, line 37,â€”

for ''National Mineral Exploration Trust''

substitute ''State Mineral Exploration Trust''." (52)

"Page 4, line 40,â€”

for ''Central Government''

substitute ''State Government''." (53)

"Page 4, line 42,â€”

for ''Central Government''

substitute ''State Government''." (54)

"Page 4, line 45,â€”

for ''Central Government''

substitute ''State Government''."

The Lok Sabha divided:

DIVISION NO.5 AYES 15.03 Hrs.

Antony, Shri Anto

Anwar, Shri Tariq

Barman, Shri Bijoy Chandra

Biju, Shri P. K.

Chaudhary, Shri Santokh Singh

Chaudhury, Shri Jitendra

Datta, Shri Sankar Prasad

De(Nag), Dr. Ratna

Deo, Shri Arka Keshari

Dev, Kumari Sushmita

Faizal, Mohammed

Gandhi, Shri Dharam Vira

George, Adv. Joice

Ghosh, Shrimati Arpita

Gogoi, Shri Gaurav

Hikaka, Shri Jhina

Hooda, Shri Deepender Singh

@Jayadevan, Shri C. N

Jena, Shri Rabindra Kumar

Karunakaran, Shri P.

Khan, Shri Md. Badaruddoza

@Kharge, Shri Mallikarjun

Kumar, Shri Santosh

@Mahtab, Shri Bhartruhari

@Mani, Shri Jose K.

Mann, Shri Bhagwant

Meinya, Dr. Thokchom

Misra, Shri Pinaki

Mohapatra, Dr. Sidhant

Mukherjee, Shri Abhijit

Nagesh, Shri Godam

Naik, Prof. A.S.R.

Pala, Shri Vincent H.

Panda, Shri Baijayant Jay

Patasani, Shri Prasanna Kumar

Patil, Shri Bheemrao B.

Poddar, Shrimati Aparupa

Pradhan, Shri Nagendra Kumar

@Premachandran, Shri N.K.

Rajesh, Shri M. B.

Reddy, Shri A.P. Jithender

Reddy, Shri Konda Vishweshwar

Roy, Shrimati Sandhya

Sahu, Shri Tamradhwaj

Salim, Shri Mohammad

Sampath, Dr. A.

Saren, Dr. Uma

@Satpathy, Shri Tathagata

Singh, Dr. Prabhas Kumar

Singh, Prof. Sadhu

Singh, Shrimati Pratyusha Rajeshwari

Swain, Shri Ladu Kishore

Tarai, Shrimati Rita

Teacher, Shrimati P.K. Shreemathi

Thomas, Prof. K.V.

NOES

Agrawal, Shri Rajendra

Ahir, Shri Hansraj Gangaram

Ahlawat, Shrimati Santosh

Ahluwalia, Shri S.S.

Amarappa , Shri Karadi Sanganna

Ananthkumar, Shri

Angadi, Shri Suresh C.

Babu, Dr. Ravindra

Baheria, Shri Subhash Chandra

Bais, Shri Ramesh

Bala, Shrimati Anju

Balyan, Dr. Sanjeev

Bansode, Adv. Sharadkumar Maruti

@Barne, Shri Shrirang Appa

Bhabhor, Shri Jasvantsinh Sumanbhai

Bhagat, Shri Sudarshan

Bhamre, Dr. Subhash Ramrao

@Bharathi Mohan, Shri R.K.

@Bharti, Sushri Uma

Bhatt, Shrimati Ranjanben

@Bhuria, Shri Dileep Singh

Bidhuri, Shri Ramesh

Birla, Shri Om

Bohra, Shri Ramcharan

Chakravarty, Shrimati Bijoya

Chandel, Kunwar Pushpendra Singh

Chaudhary, Shri C. R.

Chaudhary, Shri Haribhai

Chaudhary, Shri P.P.

Chaudhary, Shri Pankaj

@Chaudhary, Shri Ram Tahal

Chauhan, Shri Devusinh

Chavan, Shri Harishchandra

Chavda, Shri Vinod Lakhmashi

Chinnaiyan, Shri S. Selvakumara

Choubey, Shri Ashwini Kumar

Choudhary, Shri Babulal

Chudasama, Shri Rajeshbhai

Deka, Shri Ramen

Devi, Shrimati Rama

Dhotre, Shri Sanjay

Dhurve, Shrimati Jyoti

Diwakar, Shri Rajesh Kumar

@Dubey, Shri Nishikant

Dubey, Shri Satish Chandra

Dwivedi, Shri Harishchandra alias Harish

Gaddigoudar, Shri P.C.

@Gadkari, Shri Nitin

Gaikwad, Dr. Sunil Baliram

Gaikwad, Prof. Ravindra Vishwanath

@Galla, Shri Jayadev

@Gandhi, Shri Dilipkumar Mansukhlal

Gangwar, Shri Santosh Kumar

Giluwa, Shri Laxman

Girri, Shri Maheish

Gohain, Shri Rajen

@Gopal, Dr. K.

Gopalakrishnan, Shri R.

Gupta, Shri Sudheer

Haribabu, Dr. Kambhampati

@Hegde, Shri Anantkumar

Jaiswal, Dr. Sanjay

Jardosh, Shrimati Darshana Vikram

@Jat, Prof. Sanwar Lal

@Jayavardhan, Dr. J.

Jigajinagi, Shri Ramesh

Joshi, Shri Chandra Prakash

@Joshi, Shri Pralhad

Jyoti, Sadhvi Niranjan

Kachhadia, Shri Naranbhai

Karandlaje, Kumari Shobha

Kashyap, Shri Virender

Kaswan, Shri Rahul

Kataria, Shri Rattan Lal

Kateel, Shri Nalin Kumar

Kaushik, Shri Ramesh Chander

Khanduri AVSM, Maj. Gen. (Retd.) B.C.

Khuba, Shri Bhagwanth

Kinjarapu, Shri Ram Mohan Naidu

Kishore, Shri Jugal

Kishore, Shri Kaushal

Koli, Shri Bahadur Singh

Koshyari, Shri Bhagat Singh

Kumar, Dr. Virendra

Kumar, Kunwar Sarvesh

Kumar, Shri Ashwini

Kumar, Shri Dharmendra

@Kumar, Shri K. Ashok

Kumar, Shri Shanta

Kundariya, Shri Mohanbhai Kalyanjibhai

Lekhi, Shrimati Meenakashi

Lokhande, Shri Sadashiv

Maadam, Shrimati Poonamben

Mahato, Dr. Banshilal

Mahato, Shri Bidyut Baran

Malviya, Prof. Chintamani

Manjhi, Shri Hari

@Maragatham, Shrimati K.

@Marutharajaa, Shri R. P.

Maurya, Shri Keshav Prasad

Meena, Shri Harish

Meghwal, Shri Arjun Ram

Mishra, Shri Anoop

Mishra, Shri Bhairon Prasad

Mishra, Shri Daddan

Mohan, Shri P.C.

Munda, Shri Karia

@Munde, Dr. Pritam Gopinath

Nagar, Shri Rodmal

@Nagarajan, Shri P.

Naik, Shri Shripad Yesso

Narasimham, Shri Thota

Nath, Shri Chand

@Ninama, Shri Manshankar

Nishad, Shri Ajay

Nishad, Shri Ram Charitra

Nishank, Dr. Ramesh Pokhriyal

Oram, Shri Jual

Paatle, Shrimati Kamla

Pal, Shri Jagdambika

Pandey, Dr. Mahendra Nath

Pandey, Shri Hari Om

Pandey, Shri Rajesh

Pandey, Shri Ravindra Kumar

Paraste, Shri Dalpat Singh

@Parasuraman, Shri K.

@Parthipan, Shri R.

Paswan, Shri Chhedi

Paswan, Shri Kamlesh

Paswan, Shri Ram Chandra

Paswan, Shri Ramvilas

Patel, Dr. K. C.

Patel, Shri Devji M.

Patel, Shri Lalubhai Babubhai

Patel, Shri Natubhai Gomanbhai

Patel, Shri Prahlad Singh

Patel, Shri Subhash

Patel, Shrimati Anupriya

Patel, Shrimati Jayshreeben

Pathak, Shrimati Riti

Patil, Shri Kapil Moreshwar

@Patole, Shri Nana

Phule, Sadhvi Savitri Bai

@Prabakaran, Shri K. R. P.

Prasad, Dr. Bhagirath

Pratap, Shri Krishan

Radhakrishnan, Shri Pon

@Radhakrishnan, Shri T.

@Raj, Dr. Udit

Raj, Shrimati Krishna

Rajbhar, Shri Harinarayan

Rajoria, Dr. Manoj

Rajput, Shri Mukesh

Raju, Shri Ashok Gajapathi

Ram, Shri Janak

Ram, Shri Vishnu Dayal

Rao (Avanthi), Shri Muthamsetti Srinivasa

Rathore, Shri Hariom Singh

Rathwa, Shri Ramsinh

@Raut, Shri Vinayak Bhaurao

Rawat, Shrimati Priyanka Singh

Ray, Shri Bishnu Pada

Ray, Shri Ravindra Kumar

Rudy, Shri Rajiv Pratap

Sahu, Shri Lakhan Lal

Sai, Shri Vishnu Dev

Sampla, Shri Vijay

Sanjar, Shri Alok

Sarmah, Shri Ram Prasad

Sarswati, Shri Sumedhanand

Sawaikar, Adv. Narendra Keshav

@Sawant, Shri Arvind

Senguttuvan, Shri B.

Shah, Shrimati Mala Rajyalakshmi

Sharma, Dr. Mahesh

Sharma, Shri Ram Swaroop

Shekhawat, Shri Gajendra Singh

Shetty, Shri Gopal

Shinde, Dr. Shrikant Eknath

Shirole, Shri Anil

Shyal, Dr. Bhartiben D.

Siddeshwara, Shri G. M.

Sigriwal, Shri Janardan Singh

Singh, Dr. Jitendra

Singh, Dr. Nepal

Singh, Dr. Satya Pal

Singh, Shri Bharat

Singh, Shri Bhola

Singh, Shri Brijbhushan Sharan

Singh, Shri Dushyant

Singh, Shri Ganesh

Singh, Shri Giriraj

Singh, Shri Hukum

Singh, Shri Nagendra

Singh, Shri Pashupati Nath

Singh, Shri R. K.

Singh (Raju Bhaiya), Shri Rajveer

Singh, Shri Rakesh

Singh, Shri Satyapal

Singh, Shri Sunil Kumar

Singh, Shri Sushil Kumar

Singh, Shri Uday Pratap

@Sinha, Shri Jayant

Sinha, Shri Manoj

Solanki, Dr. Kirit P.

Somaiya, Dr. Kirit

@Sonkar, Shri Vinod Kumar

Sonowal, Shri Sarbananda

@Sundaram, Shri P. R.

Supriyo, Shri Babul

@Tadas, Shri Ramdas C.

Tamta, Shri Ajay

Tasa, Shri Kamakhya Prasad

Teli, Shri Rameshwar

@Teni, Shri Ajay Misra

Thakur, Shri Anurag Singh

@Thakur, Shrimati Savitri

Tomar, Shri Narendra Singh

Tripathi, Shri Sharad

Udasi, Shri Shivkumar

Vardhan, Dr. Harsh

Vasava, Shri Manshukhbhai Dhanjibhai

Vasava, Shri Parbhubhai Nagarbhai

@Venugopal, Dr. P.

@Verma, Dr. Anshul

Verma, Shri Bhanu Pratap Singh

Verma, Shri Parvesh Sahib Singh

Verma, Shrimati Rekha

Yadav, Shri Hukmdeo Narayan

@Yadav, Shri Laxmi Narayan

Yadav, Shri Ram Kripal

@Yediyurappa, Shri B.S.

-

ABSTAIN

Nil

HON. DEPUTY-SPEAKER: Subject to correction*, the result of the Division is:

Ayes: 49

Noes:194

The motion was negatived.

HON. DEPUTY-SPEAKER: The question is

"That clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

Clause 10 Insertion of new section 10A,

10B and 10C

HON. DEPUTY SPEAKER: Shri Mahtab, are you moving your amendment Nos. 21, 22 and 23 to Clause 10?

SHRI BHARTRUHARI MAHTAB : I beg to move:

"Page 5, lines 35 and 36, â€”

omit "within a period of two years from the date of commencement

of the said Act"." (21)

"Page 5, *after* line 36, *insert* â€”

"Provided that no reconnaissance permits and prospecting

licences shall be converted to Mining Leases without going

through the auction process."" (22)

"Page 5, *after* line 39, *insert* â€"

"Provided further that no lease shall be granted under this subsection

after the expiry of a period of two years from the date

of commencement of the said Act."" (23)

Sir, I moved the amendment Nos. 21, 22 and 23 relating to Clause No. 10 as they deal with the RP and PL which should not be converted to mining leases without going through auction process. The number of leases will come up under the transparent system of auction has already been severely restricted by section 8 A and granting right of RP and PL holders to ML without auction will further negate the objective of bringing transparency in the system. Instead the PL holders may be accorded the right of first refusal under auction and in the event of their not getting the ML, they may be compensated reasonably from the National Mineral Exploration Trust or by the State Government for the expenditure incurred by them for reconnaissance on prospecting Section 10A(ii) that accordingly may be modified. This is my suggestion. This is my Amendment. I move this Amendment for greater clarity, for greater transparency. If this Government believes in transparency, here is a case where I am moving the Amendment, please support it.

HON. DEPUTY SPEAKER: I shall now put amendment Nos. 21, 22 and 23 to the vote of this House.

SHRI BHARTRUHARI MAHTAB : I want Division.

HON. DEPUTY SPEAKER: The lobbies have already been cleared.

The question is:

"Page 5, lines 35 and 36, â€"

omit "within a period of two years from the date of commencement

of the said Act"." (21)

"Page 5, *after* line 36, *insert* â€"

"Provided that no reconnaissance permits and prospecting

licences shall be converted to Mining Leases without going

through the auction process."" (22)

"Page 5, *after* line 39, *insert* â€"

"Provided further that no lease shall be granted under this subsection

after the expiry of a period of two years from the date

of commencement of the said Act."" (23)

The Lok Sabha divided:

DIVISION NO.6 AYES 15.07 Hrs.

@Antony, Shri Anto

Anwar, Shri Tariq

Banerjee, Shri Abhishek

Banerjee, Shri Kalyan

@Barman, Shri Bijoy Chandra

Biju, Shri P. K.

Chaudhary, Shri Santokh Singh

Chaudhury, Shri Jitendra

Dastidar, Dr. Kakoli Ghosh

Datta, Shri Sankar Prasad

De(Nag), Dr. Ratna

Deo, Shri Arka Keshari

Dev, Kumari Sushmita

Faizal, Mohammed

Gandhi, Shri Dharam Vira

George, Adv. Joice

Ghosh, Shrimati Arpita

Gogoi, Shri Gaurav

Hikaka, Shri Jhina

Hooda, Shri Deepender Singh

@Jayadevan, Shri C. N

Jena, Shri Rabindra Kumar

Karunakaran, Shri P.

Khan, Shri Md. Badaruddoza

@Kharge, Shri Mallikarjun

@Kumar, Shri Santosh

Mahtab, Shri Bhartruhari

Mandal, Dr. Tapas

Mani, Shri Jose K.

Mann, Shri Bhagwant

Meinya, Dr. Thokchom

Misra, Shri Pinaki

Mohapatra, Dr. Sidhant

Mukherjee, Shri Abhijit

@Naik, Prof. A.S.R.

Pala, Shri Vincent H.

Panda, Shri Baijayant Jay

@Patasani, Shri Prasanna Kumar

Patil, Shri Bheemrao B.

Paul, Shri Tapas

Poddar, Shrimati Aparupa

Pradhan, Shri Nagendra Kumar

@Premachandran, Shri N.K.

Rajesh, Shri M. B.

Reddy, Shri A.P. Jithender

Reddy, Shri Konda Vishweshwar

Roy, Prof. Saugata

Roy, Shrimati Sandhya

Roy, Shrimati Satabdi

Sahu, Shri Tamradhwaj

Salim, Shri Mohammad

Samal, Dr. Kulmani

Sampath, Dr. A.

Sanghamita, Dr. Mamtaz

Saren, Dr. Uma

Satpathy, Shri Tathagata

Singh, Dr. Prabhas Kumar

Singh, Prof. Sadhu

Singh, Shri Ravneet

Singh, Shrimati Pratyusha Rajeshwari

Swain, Shri Ladu Kishore

Tarai, Shrimati Rita

Teacher, Shrimati P.K. Shreemathi

Thomas, Prof. K.V.

NOES

Agrawal, Shri Rajendra

@Ahir, Shri Hansraj Gangaram

Ahlawat, Shrimati Santosh

@Ahluwalia, Shri S.S.

Amarappa , Shri Karadi Sanganna

Ananthkumar, Shri

$Angadi, Shri Suresh C.

Baheria, Shri Subhash Chandra

Bais, Shri Ramesh

Bala, Shrimati Anju

Balyan, Dr. Sanjeev

Bansode, Adv. Sharadkumar Maruti

@Barne, Shri Shrirang Appa

Bhabhor, Shri Jasvantsinh Sumanbhai

Bhagat, Shri Sudarshan

Bhamre, Dr. Subhash Ramrao

Bharti, Sushri Uma

Bhatt, Shrimati Ranjanben

@Bhuria, Shri Dileep Singh

@Bidhuri, Shri Ramesh

Birla, Shri Om

Bohra, Shri Ramcharan

Chakravarty, Shrimati Bijoya

Chandel, Kunwar Pushpendra Singh

Chaudhary, Shri C. R.

Chaudhary, Shri Haribhai

Chaudhary, Shri P.P.

Chaudhary, Shri Pankaj

Chaudhary, Shri Ram Tahal

@Chauhan, Shri Devusinh

Chavan, Shri Harishchandra

Chavda, Shri Vinod Lakhmashi

Chinnaiyan, Shri S. Selvakumara

@Choubey, Shri Ashwini Kumar

Choudhary, Shri Babulal

Chudasama, Shri Rajeshbhai

Deka, Shri Ramen

@Devi, Shrimati Rama

Dhotre, Shri Sanjay

Dhurve, Shrimati Jyoti

Diwakar, Shri Rajesh Kumar

Dubey, Shri Nishikant

Dubey, Shri Satish Chandra

Dwivedi, Shri Harishchandra alias Harish

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@Gadkari, Shri Nitin

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$Gaikwad, Prof. Ravindra Vishwanath

@Galla, Shri Jayadev

Gandhi, Shri Dilipkumar Mansukhlal

Gangwar, Shri Santosh Kumar

Giluwa, Shri Laxman

Girri, Shri Maheish

Gohain, Shri Rajen

Gupta, Shri Sudheer

Haribabu, Dr. Kambhampati

Hegde, Shri Anantkumar

@Jaiswal, Dr. Sanjay

Jardosh, Shrimati Darshana Vikram

@Jat, Prof. Sanwar Lal

Jayavardhan, Dr. J.

@Jigajinagi, Shri Ramesh

Joshi, Shri Chandra Prakash

Joshi, Shri Pralhad

Jyoti, Sadhvi Niranjan

Kachhadia, Shri Naranbhai

@Karandlaje, Kumari Shobha

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Kateel, Shri Nalin Kumar

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Kinjarapu, Shri Ram Mohan Naidu

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@Kishore, Shri Kaushal

Koli, Shri Bahadur Singh

Koshyari, Shri Bhagat Singh

Kumar, Dr. Virendra

Kumar, Kunwar Sarvesh

@Kumar, Shri Ashwini

Kumar, Shri Dharmendra

Kumar, Shri P.

Kumar, Shri Shanta

Kundariya, Shri Mohanbhai Kalyanjibhai

@Lekhi, Shrimati Meenakashi

Maadam, Shrimati Poonamben

Mahato, Dr. Banshilal

@Mahato, Shri Bidyut Baran

Malviya, Prof. Chintamani

Manjhi, Shri Hari

Marutharajaa, Shri R. P.

@Maurya, Shri Keshav Prasad

@Meena, Shri Harish

Meghwal, Shri Arjun Ram

Mishra, Shri Anoop

Mishra, Shri Bhairon Prasad

Mishra, Shri Daddan

Mohan, Shri P.C.

Munda, Shri Karia

@Munde, Dr. Pritam Gopinath

@Nagar, Shri Rodmal

Naik, Shri Shripad Yesso

@Narasimham, Shri Thota

Nath, Shri Chand

Ninama, Shri Manshankar

Nishad, Shri Ajay

@Nishad, Shri Ram Charitra

Nishank, Dr. Ramesh Pokhriyal

Paatle, Shrimati Kamla

Pal, Shri Jagdambika

Pandey, Dr. Mahendra Nath

Pandey, Shri Hari Om

Pandey, Shri Rajesh

Pandey, Shri Ravindra Kumar

Paraste, Shri Dalpat Singh

@Paswan, Shri Chhedi

Paswan, Shri Kamlesh

Paswan, Shri Ram Chandra

Paswan, Shri Ramvilas

Patel, Dr. K. C.

Patel, Shri Devji M.

@Patel, Shri Lalubhai Babubhai

Patel, Shri Natubhai Gomanbhai

Patel, Shri Prahlad Singh

Patel, Shri Subhash

Patel, Shrimati Jayshreeben

Pathak, Shrimati Riti

@Patil, Shri Kapil Moreshwar

@Patole, Shri Nana

Phule, Sadhvi Savitri Bai

Prabakaran, Shri K. R. P.

Prasad, Dr. Bhagirath

@Pratap, Shri Krishan

Radhakrishnan, Shri Pon

Radhakrishnan, Shri T.

@Raj, Dr. Udit

Raj, Shrimati Krishna

Rajbhar, Shri Harinarayan

Rajoria, Dr. Manoj

Rajput, Shri Mukesh

Raju, Shri Ashok Gajapathi

@Ram, Shri Janak

Ram, Shri Vishnu Dayal

Rao, Shri M. Venkateswara

@Rathore, Shri Hariom Singh

@Rathwa, Shri Ramsinh

Raut, Shri Vinayak Bhaurao

@Rawat, Shrimati Priyanka Singh

Ray, Shri Bishnu Pada

Ray, Shri Ravindra Kumar

Rudy, Shri Rajiv Pratap

Sahu, Shri Lakhan Lal

Sai, Shri Vishnu Dev

@Sampla, Shri Vijay

Sanjar, Shri Alok

Sarmah, Shri Ram Prasad

Sarswati, Shri Sumedhanand

Sawaikar, Adv. Narendra Keshav

Sawant, Shri Arvind

Shah, Shrimati Mala Rajyalakshmi

Sharma, Dr. Mahesh

@Sharma, Shri Ram Swaroop

@Shekhawat, Shri Gajendra Singh

Shetty, Shri Gopal

Shinde, Dr. Shrikant Eknath

Shirole, Shri Anil

Shyal, Dr. Bhartiben D.

Siddeshwara, Shri G. M.

Sigriwal, Shri Janardan Singh

Singh, Dr. Jitendra

Singh, Dr. Nepal

@Singh, Dr. Satya Pal

Singh, Shri Bharat

Singh, Shri Bhola

Singh, Shri Brijbhushan Sharan

Singh, Shri Dushyant

Singh, Shri Ganesh

Singh, Shri Giriraj

Singh, Shri Hukum

Singh, Shri Nagendra

Singh, Shri Pashupati Nath

Singh, Shri R. K.

Singh (Raju Bhaiya), Shri Rajveer

Singh, Shri Rakesh

Singh, Shri Satyapal

Singh, Shri Sunil Kumar

@Singh, Shri Sushil Kumar

Singh, Shri Uday Pratap

Sinha, Shri Jayant

Sinha, Shri Manoj

Solanki, Dr. Kirit P.

Somaiya, Dr. Kirit

Sonkar, Shri Vinod Kumar

Sonowal, Shri Sarbananda

Supriyo, Shri Babul

Tadas, Shri Ramdas C.

Tamta, Shri Ajay

Tasa, Shri Kamakhya Prasad

Teli, Shri Rameshwar

Teni, Shri Ajay Misra

Thakur, Shri Anurag Singh

Thakur, Shrimati Savitri

Tomar, Shri Narendra Singh

Tripathi, Shri Sharad

Udasi, Shri Shivkumar

@Vardhan, Dr. Harsh

Vasava, Shri Manshukhbhai Dhanjibhai

Vasava, Shri Parbhubhai Nagarbhai

Venugopal, Dr. P.

Verma, Dr. Anshul

Verma, Shri Bhanu Pratap Singh

Verma, Shri Parvesh Sahib Singh

Verma, Shrimati Rekha

Wanga, Shri Chintaman Navasha

Yadav, Shri Hukmdeo Narayan

Yadav, Shri Laxmi Narayan

Yadav, Shri Ram Kripal

Yediyurappa, Shri B.S.

ABSTAIN

Nil

HON. DEPUTY SPEAKER: Subject to correction*, the result of the Division is:

Ayes: 57

Noes: 177

The motion was negatived.

HON. DEPUTY SPEAKER: The question is:

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill.

Clause 11 Substitution of new

section for section 11

HON. DEPUTY SPEAKER: Dr. A. Sampath, are you moving your amendment No. 43 of Clause 11?

DR. A. SAMPATH : Sir, I beg to move:

"Page 7, line 16,â€”

for ''State Government'',

substitute ''Central Government''." (43)

The State Government shall grant a prospecting license cum mining license to an applicant selected in accordance with the procedure. I would like an amendment made to put it as Central Government, not as the State Government because as per the Constitution, it is the duty of the Central Government also.

Sir, after all these deliberations and discussions, Ayes and Noes and divisions, we all see that some reasoning, some justification is there because Ayes have gone from 42 to 47 and now, we have got 57 Ayes. With all respect to the hon. Minister, I genuinely believe that there will be some modifications and some amendments from the part of the Government itself because this is a very important Bill. You are vested with the Powers.

You are the guardian of the people. It is not your portfolio. Rudy ji...(*Interruptions)*

HON. DEPUTY SPEAKER: I shall now put amendment No. 43 to Clause 11 moved by Dr. A. Sampath to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: The question is:

"That Clause 11 stand part of the Bill."

The motion was adopted.

Clause 11 was added to the Bill.

Clause 12 Insertion of new section

11B and 11C

HON. DEPUTY SPEAKER: Shri B. Mahtab, are you moving your Amendment No.24?

SHRI BHARTRUHARI MAHTAB : Yes, I am moving my Amendment No.24. I beg to move:

"Page 7, *after* line 36, *insert* â€"

"Provided that no addition to the Fourth Schedule shall be made without the concurrence of the concerned State Government."" (24)

It deals with abolition of the Fourth Schedule. The Fourth Schedule gives ample power to the Government and in that respect, my amendment is to remove Fourth Schedule in toto....(*Interruptions*)

I thought that the Minister of Parliamentary Affairs is advising the House on certain things and it should be on record. But it seems that he does not want that to be on record.

HON. DEPUTY SPEAKER: No, do not tell anything about the Chair. I know how to handle. You come to the point. Be very brief.

SHRI BHARTRUHARI MAHTAB : My amendment deals with deleting the Schedule IV which is included in this Bill. It is very damaging and it goes against the interest of the nation. It gives ample power to the Central Government to arbitrarily decide many things without taking the State Government into confidence, specially, those mineral bearing States. This is my suggestion. Why do you not consult the concerned State Government when you are taking a decision in this respect? As that is not forthcoming, I have moved my amendment.

HON. DEPUTY SPEAKER: I shall now put amendment No. 24 to Clause 12 moved by Shri B. Mahtab to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: The question is:

"That Clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

Clause 13 Insertion of new Section 12A

HON. DEPUTY SPEAKER: Mr. B. Mahtab, are you moving Amendment Nos. 25 and 26?

SHRI BHARTRUHARI MAHTAB: Sir, I beg to move:

"Page 7, *for* lines 39 to 42, â€"

substitute "12A. No mining concessions, whether obtained under the a r otherwise, shall be transferred by the holder of the original mining lease or a prospecting licence-cum- mining lease"." (25)

Prohibition of transfer of mineral concessions

"Page 8, *omit* lines 1 to 27." (26)

These are my two last amendments but there are amendments from our Party. I had said yesterday that this amendment process would take not less than one-and-a-half hour....(*Interruptions*)

HON. DEPUTY SPEAKER: Please address the Chair.

SHRI BHARTRUHARI MAHTAB : I would say that this is an insertion or a substitute which I would like to make as 12A. "No mining concessions, whether obtained under the auction system or otherwise, shall be transferred by the holder of the original mining lease or a prospecting licence-cum-mining lease."...(*Interruptions*) यह आपके लिए भी जरूरी है, क्योंकि, मध्य प्रदेश में भी थोड़ी-बहुत माइनिंग है।...(व्यवधान) जो लोग माइन्स ले रहे हैं, वे भी ट्रान्सफर कर रहे

हैं।...(व्यवधान) It is regarding without taking the Government's view. That is why, I am saying, "no mining concessions, whether obtained under the auction system or otherwise, shall be transferred by the holder of the original mining lease or a prospecting licence-cum-mining lease."

This is my amendment and this will strengthen the hands of the Government and this will be more transparent because the under-hand or under the table dealings can be stopped by this amendment. This is not there in the Bill. I would request the Government to come forward. If you are taking it as a prestige issue, please come forward later on. I press for this amendment.

HON. DEPUTY SPEAKER: I shall now put Amendment Nos. 25 and 26 to Clause 13 moved by Shri Bhartruhari Mahtab to the vote of the House.

The amendments were put and negatived.

HON. DEPUTY SPEAKER: Now, Amendment Nos.56 and 57, Shri Tathagata Satpathy.

SHRI TATHAGATA SATPATHY: Sir, I beg to move:

"Page 8, line 8,â€”

for ''ninety days''

substitute ''one hundred and eighty days''." (56)

"Page 8, line 9,â€”

for ''the State Government has no objection to such transfer''

substitute ''the State Government objects to such transfer''." (57)

I am clubbing all of them together. While they are talking about cooperative federalism, somebody as senior leader like Shri Jual Oram is aware of this that when we go back home we have huge tribal population which is bereft of basic things. So, you should give more powers to the State Governments. It is also acknowledged and the fact is known that all of us do not enjoy the facility of having a State Government which supports us or which is of our party. Being aware of that situation, knowing that a situation may well arise when some of us may be deprived of support at home from the local Government, yet in the public interest I say that I would like to club all these and move my amendment.

HON. DEPUTY SPEAKER: I shall now put Amendment Nos. 56 and 57 to Clause 13 moved by Shri Bhartruhari Mahtab to the vote of the House.

The amendments were put and negatived.

HON. DEPUTY SPEAKER: The question is:

"That clause 13 stand part of the Bill."

The motion was adopted.

Clause 13 was added to the Bill.

Clauses 14 to 17 were added to the Bill.

Clause 18 Insertion of new section 20A

HON. DEPUTY SPEAKER: Now, Amendment No.38, Shri N.K. Premachandran. Are you moving your amendment?

SHRI N.K. PREMACHANDRAN : I beg to move:

Page 10, line 9, *omit,* -

"or on any policy matter". (38)

Sir, this is my last amendment. ...(*Interruptions*) Sir, I have moved the amendment. This is a very serious amendment. The amendment is in respect of proposed amendment as Section 20A by which the Central Government is empowered to direct the State Governments to make the policy. That means, the right of the State Government is taken away. Yesterday also I mentioned that it is quite unfortunate. Sir, you can very well see the resistance from the Opposition, though the number is very less. The Government has to take a serious note of this legislation, otherwise, a very bad message will go. So, my point is in respect of the word 'policy' because the State Governments are having their own policies. The Government of India imposing a policy upon the State Government is against the principle of cooperative federalism as declared by Shri Narendra Modi, the hon. Prime Minister of this country.

HON. DEPUTY SPEAKER: I shall now put Amendment No.38 moved by Shri N.K. Premachandran to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: Now, Amendment No.58, Shri Tathagata Satpathy.

SHRI TATHAGATA SATPATHY : I beg to move:

"Page 10, lines 6 and 7, --

for "the Central Government may issue such directions to the State Governments"

substitute "the Central Government may issue such directions after consultations with the State Government"." (58)

HON. DEPUTY SPEAKER: I shall now put Amendment No.58 moved by Shri Tathagata Satpathy to the vote of the House.

The amendment was put and negatived.

HON. DEPUTY SPEAKER: The question is:

"That clause 18 stand part of the Bill."

The motion was adopted.

Clause 18 was added to the Bill.

Clause 19 Amendment of section 21

HON. DEPUTY SPEAKER: Prof. Saugata Roy has tabled two amendments to Clause 19. Are you moving your Amendment Nos.7 and 8?

PROF. SAUGATA ROY : I beg to move:

"Page 10, line 34,â€"

for "five years and with fine which may extend to five lakh rupees."

substitute "seven years and with fine which may extend to seven lakh rupees"." (7)

"Page 10, line 37,â€"

for "two years"

substitute "thirty years"." (8)

मेरा यह अमेंडमेंट इलीगल माइनिंग के लिए सजा को और कड़ा करने के लिए है।...(व्यवधान) While I am totally against this Bill because this sells away the nation's treasures, I am for taking the strongest actions against those people who indulge in illegal mining selling away the nation's treasure in some other way. I had mentioned the loot in Bellary, where whole hillocks of iron ore were just looted illegally during the BJP Government in Karnataka and exported abroad. ...(*Interruptions*)

उन चोरों को सजा होनी चाहिए जो देश की तिजोरी बेचते हैं।

HON. DEPUTY-SPEAKER: I shall now put Amendment Nos. 7 and 8 to clause 19 moved by Prof. Saugata Roy to the vote of the House.

The amendments were put and negatived.

HON. DEPUTY SPEAKER: Dr. A. Sampath, are you moving your Amendment No. 44 to clause 19?

DR. A. SAMPATH : Sir, I beg to move:

> "Page 10, line 37,--
>
> *for* "extend to two years or with fine which may extend to
> five lakh rupees,"
>
> *substitute* "extend to ten years or with fine which may extend
> to fifty lakh rupees,"."
> (44)

...(*Interruptions*)

Are you in a hurry to go? Is it the time to catch a flight? ...(*Interruptions*)

HON. DEPUTY SPEAKER: Please address the Chair and do not waste time. You please say what you want.

DR. A. SAMPATH : Sir, I do not have anything in mind; some of them may have.

A punitive provision has been incorporated in clause 19. Clause 19(2) says:

> "Any rule made under any provision of this Act may provide that any contravention thereof shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five lakh rupees, or with both, â€¦â€¦ "

This should not be a punitive measure as the one which exists in the Motor Vehicles Act. Here, it may amount to looting of the nation. All these mine operators have installed currency counting machines at various counters in their offices. This penalty of Rs. 5 lakh will not even be a peanut for them. We know the sad plight of Odisha. They have been looted like anything.

HON. DEPUTY SPEAKER: Why are you going into it unnecessarily? You tell me what you want to say.

DR. A. SAMPATH : Sir, in the year 2065 ...(*Interruptions*) Yes, we are all lucky. We will not be alive at that time. We are giving 50-year lease. At that time, we will not be here. No one of us will be here, but what will happen at that time? ...(*Interruptions*)

HON. DEPUTY SPEAKER: You address the Chair. Otherwise, I cannot help you.

You tell what you want to say. Do not interact with other Members. It may create a problem. Therefore, you address the Chair and tell me. You address me and do not talk to them.

DR. A. SAMPATH : Sir, they are trying to suffocate my voice. They cannot suffocate the voice of the people by suffocating my voice.

HON. DEPUTY SPEAKER: I am not suffocating your voice. You tell what you want. Do not argue with others.

DR. A. SAMPATH : Sir, I am obliged and very much thankful to you because you have navigated this House. I know that they will ensure that this Bill gets passed.

Sir, I bow before you in this matter, but I have a right to speak because I have moved the amendment. Here, the Government intends that those who have looted the nation, those who have looted the precious resources, can also go scot-free. A period of two years in prison in nothing. Those who were in prison for all these types of things, some of them also may be in the House not because of the political reasons but because of the Prevention of Corruption Act! At least, there should be some amendments in this clause also. You compare with the Prevention of Corruption Act. What is this here? ...(*Interruptions*)

Sir, I am not requesting you to put anybody in the jail. This has to be substituted.

HON. DEPUTY SPEAKER: You tell me what you want.

DR. A. SAMPATH : Sir, the period of imprisonment may be extended to ten years or with fine which may extend ...(*Interruptions*) This is not applicable to you. It will come at some time. ...(*Interruptions*)

Sir, the fine may be extended up to Rs. 50 lakh. This is my amendment.

HON. DEPUTY-SPEAKER: I shall now put Amendment No. 44 to clause 19 moved by Dr. A. Sampath to the vote of the House.

The amendment was put and negatived.

DR. A. SAMPATH : Sir, I want Division. ...(*Interruptions*)

HON. DEPUTY SPEAKER: It is already over.

...(*Interruptions*)

HON. DEPUTY SPEAKER: The question is:

"That clause 19 stand part of the Bill."

The motion was adoptd.

Clause 19 was added to the Bill.

Clauses 20 to 25 were added to the Bill.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

...(*Interruptions*)

SHRI MALLIKARJUN KHARGE (GULBARGA): Sir, they have brought many Bills before the House. They are not ready to accept even one amendment. These amendments are in favour of the people. ...(*Interruptions*) We are staging a walk-out. â€¦ (*Interruptions*)

15.31 hrs

At this stage, Shri Mallikarjun Kharge, Prof. Saugata Roy, Shri Bhartruhari Mahtab and some other hon. Members left the House.

HON. DEPUTY SPEAKER: The Minister may now move that the Bill be passed.

श्री नरेन्द्र सिंह तोमर: मैं प्रस्ताव करता हूं:

"कि विधेयक पारित किया जाए।"

HON. DEPUTY SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

SHRI NARENDRA SINGH TOMAR: Sir, thank you very much.

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